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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 14, 2016.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

MEMORIALIZING CHELSEY JEAN HOOD RUSSELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. COFFMAN) for 5 minutes.

Mr. COFFMAN. Mr. Speaker, I rise today to memorialize the tragic passing of Chelsey Jean Hood Russell of Denver, Colorado.

Throughout her life, Chelsey displayed extraordinary strength. She gave birth to her daughter 3 days before acing the Colorado bar exam. Her lifelong goal was to run a marathon in every State. Last summer, she ran a 100-mile race at elevations of over 9,200 feet near Leadville, Colorado.

Chelsey was a loving mother to her two children. Leading by example, she taught her children a love for outdoor adventures, a commitment to hard work, the importance of family and friendship, and a strong sense of passion, fearlessness, and a love of life.

Chelsey's life was cut short when she displayed the ultimate act of motherly love. At the end of a family vacation on Lake Powell in August, she suffered an acute cardiac event while rescuing her son from drowning.

Chelsey is survived by her mother, Trisha; her brother, Cayman; her children, Hayden and Harvey; and countless friends and family members who loved her dearly.

Mr. Speaker, Chelsey lived fully and died courageously. We can all learn from the passionate example she set in her 35 years.

OSCAR LOPEZ RIVERA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, Oscar Lopez Rivera is the last Puerto Rican political prisoner still held in Federal custody, now for more than 35 years. He never killed anyone and wasn't charged with killing anyone, but he is still in jail.

The man who shot President Reagan, John Hinckley, Jr., is no longer being held. Other high-profile offenders get clemency and have their sentences reduced.

All of us have seen in the past months that the Obama administration commuted the sentences of hundreds of

nonviolent drug offenders. Most of us have applauded that decision, and Oscar Lopez Rivera is still in jail for 35 years—35 years.

No matter what party or faction or class or race or walk of life you are from in Puerto Rico or in the Puerto Rican communities all over the United States, you know about Oscar Lopez Rivera and what he symbolizes for the Puerto Rican people. He is our elder statesman, our Nelson Mandela, our pride, and our sense of nationhood.

We all cheered for Monica Puig at the Olympics and heard our national anthem played for the very first time. Yet there is a piece missing from our national identity, a piece missing from our souls because Oscar Lopez may be forgotten and may die in jail.

It is with deep sadness that I say that it is looking more and more like there is no meaningful review of his case going on at the Justice Department or at the White House or anywhere else.

I met with President Obama on June 8 in his office, and I took the opportunity to ask him about the case of Oscar Lopez Rivera. Lin-Manuel Miranda said that Oscar's case was on the President's desk when they met, and everyone in Puerto Rico relaxed. But the President told me: No, his case is not on my desk. You need to talk to McDonough, my Chief of Staff. I did that at 3 that afternoon. He said: I don't know anything about the case, but the Deputy Attorney General will meet with you and discuss the case.

I tried and tried and tried to get the information from her about where the case stood and how the process of clemency works under the Obama administration. Well, 10 weeks later—yes, 10 weeks later—I heard from the DOJ's assistant to the assistant's assistant in legislative affairs, and he said: I don't know anything about Oscar's case. He went on to say that Deputy Attorney General Yates will not meet with me or anyone else. The reason is they only

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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make contact with outside parties when they initiate it, when they are reaching out for more information on a candidate to make a decision. So they are not making a decision.

Basically, they said, don't call us, we will call you. But no one I know—no one—has received any kind of contact from the DOJ, which makes it pretty clear to me that they are not seriously reviewing the case.

To recap, the President said: It is not on my desk. The Chief of Staff said: I don't know anything about the case, talk to this person at DOJ; and that person, more than 2 months later, told someone to tell me that we will call you if we are seriously reviewing the case. And there has been nothing from the Obama administration.

That is why I continue to call on Puerto Ricans and people of good conscience to come on October 9 to Washington, D.C., as we join together to show our unity and resolve that Oscar Lopez Rivera should be set free to return to Puerto Rico.

Mr. Speaker, I don't mean to be rude, but my message to Puerto Ricans about Oscar Lopez Rivera is so important, I will deliver the rest in Spanish with a translation provided to the House.

(English translation of the statement made in Spanish is as follows:)

I am sad to say that our optimism and confidence that President Obama would finally set Oscar Lopez Rivera free is in jeopardy.

Every indication I am getting from the President and his staff is that the review of Oscar's case is not progressing, so we need to make our voices perfectly clear and work together to send the strongest possible message to the President.

If you need to walk, take a bus, crawl, or swim to get to Washington on October 9, you should do so.

We will be gathering on Sunday, October 9, across the street from the White House in Lafayette Park with celebrities, leaders and Puerto Ricans of all kinds.

We cannot let our brother die in jail.

We cannot let our nation be ignored.

We must stand together as Puerto Ricans—no matter who we are, no matter where we were born, no matter where we live now—and tell the President of the United States and the government here in Washington that 35 years is enough. Enough.

We want our brother, Oscar Lopez Rivera, to walk amongst us and to touch his feet on the warm land of Puerto Rico again.

Show that you care and that you will not be silent. Join us on October 9.

Me da tristeza decir que el optimismo y la confianza que el Presidente Obama liberará a Oscar López Rivera está en grave peligro.

Cada vez que me he comunicado con el personal del Presidente me han indicado que la evaluación del caso de Oscar no está progresando; por eso tenemos que hacer nuestras voces

perfectamente claras y trabajar juntos para mandarle el mensaje más fuerte posible al Presidente.

Si tienen que caminar, tomar un autobús, gatear o nadar para llegar a Washington el 9 de octubre, háganlo.

Estaremos reunidos con celebridades, líderes, y puertorriqueños de todo tipo el domingo, 9 de octubre al cruzar la calle de la Casa Blanca, en Lafayette Park.

No podemos dejar que nuestro hermano muera encarcelado.

No podemos dejar que nuestra patria sea ignorada.

Debemos seguir unidos como puertorriqueños—sin importar quienes somos, donde nacimos y donde vivimos ahora—y decirle al Presidente de los Estados Unidos y al gobierno aquí en Washington que 35 años es suficiente. Ya basta.

Queremos que nuestro hermano, Oscar López Rivera, camine entre nosotros y que sus pies toquen la tierra cálida de Puerto Rico una vez más.

Demuestren que esto les importa, y que no se quedarán callados. Únete a nosotros el 9 de octubre.

FISCAL CLIFF IS LOOMING

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, yesterday I heard Congressman Mo Brooks from Alabama give a very disturbing speech, but a speech that everyone should hear, and that is: America is headed toward Greece. Financially we are in a bad situation. We are \$19.4 trillion in debt.

In 2000 I was here when President Clinton was leaving office. We had a Republican House, a Republican Senate, and we were headed for a surplus. In fact, the debt in 2000 was \$5.6 trillion. Today that debt is \$19.4 trillion.

The poster I have with me, Mr. Speaker, I used all during August. It is a great political cartoon. It is kind of sad in a way, I guess. The cartoon is this: It has got Uncle Sam in a wheelchair, and Uncle Sam is saying, "I can see Greece from here," and the cliff has got written the words "fiscal cliff." And then who is pushing Uncle Sam but Mr. Obama, and he is saying, "Forward." And who is pushing Mr. Obama? The donkey, representing the Democrats? Who is pushing the donkey? The Republicans, the elephant. What it is saying is both parties are guilty of this debt that is going to strangle this country before very long.

Last week there was an article in Reuters News. The headline was: "U.S. Army Fudged Its Accounts by Trillions of Dollars, Auditor Finds." The auditor said that, in the year 2015, he found that the Army had misappropriated over \$6 trillion. I don't know where the outrage is anymore. I have no idea where it is. Six trillion dollars they cannot account for. And yet I hear very little about it from the Department of

the Army and very little from leadership in the House of Representatives.

In addition to that, I, for months, and maybe even years now, have been talking about the absolute waste, fraud, and abuse in Afghanistan. It is one of the worst failed policies America has ever had. We are not changing anything.

You go back to Alexander the Great. Alexander the Great went to Afghanistan, or what was known as Afghanistan then. He was going to make it a different part of the world. It failed.

Then you had the British. Winston Churchill was a young reporter and was in Afghanistan in 1920. He wrote and said: What is this country? What is this land? It is impossible.

And then you had the Russians. The Russians went there, and they failed and they left. Now America is spending billions and billions of dollars, and it is failing.

There was an article about 3 months ago, and the title of the article was: "12 Ways Your Tax Dollars Were Squandered in Afghanistan." John Sopko is the inspector general for Afghan Reconstruction. What he said was:

Billions have been squandered on projects that were either useless or substandard, or lost to waste, corruption, and systemic abuse, according to SIGAR's reports.

That is John Sopko's group. They are known as SIGAR. Anyone can look it up on the Internet. They will just verify everything I am saying of just how much waste, fraud, and abuse, and how it is worse today than it was 15 years ago.

I do not understand how we in Congress can be complicit.

Well, what do you mean complicit?

Well, when we pass the bill to fund the Department of Defense, if we know a percentage of that money, billions of dollars, is going to Afghanistan waste, fraud, and abuse, aren't we being complicit? I think so. I started voting against the bills because I don't want to be part of that, quite frankly.

Mr. Speaker, in closing, I want to thank Congressman Brooks for coming on this floor yesterday, as I have done many times, to warn not only Congress but the American people that we are going to have a collapse sooner rather than later if we don't change the way that we are spending money here in Washington.

Mr. Speaker, I want to thank our men and women in uniform, thank the families of our men and women in uniform, and thank the families who have given a child dying for freedom in Afghanistan and Iraq.

PEOPLE ARE JUSTIFIABLY CONCERNED ABOUT ZIKA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, after one of the longest congressional breaks

in history, House Republicans are trying to wrap things up and leave town, leaving critical work unfinished. Meanwhile, millions of Americans in New York, Florida, and throughout the United States are justifiably concerned about the dangers of the Zika virus.

Nowhere has this disease hit harder than in Puerto Rico, where Zika has become an epidemic. As of last week, more than 1,380 pregnant women in Puerto Rico have been diagnosed with Zika; and overall, there have been 16,000 laboratory cases of the virus found on the island.

□ 1015

It would be a tragic and heartbreaking mistake for this Congress to ignore the severity of this threat. Let us be clear: this is the first time we have identified a “mosquito-borne” form of birth defect. It is also the first new, major infectious cause of birth defects in five decades.

There are some things we do not know about the Zika virus. It is not clear what proportion of infants affected by the virus will suffer birth defects, but what we have seen so far is saddening, troubling, and horrifying. To look upon their helpless faces and do nothing is unconscionable. Yet, despite what we do not know, one thing is tragically clear: this House has failed to provide adequate resources to address this danger.

It has now been 7 months since President Obama’s administration requested adequate resources to help stem the threat of Zika, but House Republicans have taken zero—I repeat, zero—votes on adequate funding that will help tackle this problem.

Now, the Centers for Disease Control and Prevention is telling us they are running out of money to deal with this potential catastrophe. There are critical public health steps we need to take but cannot because the CDC is essentially out of money. Already, NIH is drawing resources from other priorities, like HIV and AIDS and cancer research, because this body has failed to act.

Sometimes my colleagues on the other side like to talk about how we must “protect the unborn.” Well, let me ask you this: When we fail to tackle a disease that causes unborn babies to develop birth defects that will haunt them the rest of their lives, how are we protecting the unborn?

These are innocent children—American children in Puerto Rico and on the mainland—who are suffering enormously because this Congress has not done its job. We are learning that this disease is sexually transmitted, making contraception a key part of any solution. But Republicans are raising objections to adequate funding for contraception.

Mr. Speaker, protecting the safety and health of the American people is a solemn obligation for every Member of Congress. It is a responsibility that we are currently not living up to.

I call on my colleagues to do the right thing. Do your job. Pass a supplemental funding bill so the CDC can get to work and help stop this terrible virus from spreading.

DOL OVERTIME RULE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today to represent the concerns of Kentucky’s Sixth Congressional District’s business, education, and nonprofit leaders who will be negatively impacted by the Department of Labor’s final rule on overtime pay. These new regulations will have a crippling effect on businesses’ ability to create jobs and even continue operations in our already tough economic climate.

Today I want to share some stories from my constituents, who are among the millions of Americans whose businesses and educational institutions and nonprofits will be significantly harmed by the Department of Labor’s final rule.

Darshana Patel, a first-generation American who emigrated to Kentucky from India, sat in my office with tears in her eyes, voicing concerns to me about the impact of the overtime rule on the three hotels that she worked hard to build and own.

As a result of the high cost of the rule, Mrs. Patel’s small business will be forced to demote a manager who has worked with her for 14 years to an hourly position on December 1. She also worries that she will have to let go some of her employees. She says she will be forced to take these drastic actions because, with this rule, she will have to come up with about \$25,000 per property—money that she did not budget for.

This hardworking, first-generation American entrepreneur was crying because she said she came to this country to achieve the American Dream, and the government of the United States is tearing that dream apart with overregulation.

According to the Asian American Hotel Owners Association, more than half of hotel managers in the United States start in entry level positions. The Department of Labor rule will reduce employment opportunities for these workers just starting off and significantly limit upward mobility.

The Department of Labor’s overtime rule will also negatively impact educational employment opportunities at our colleges and universities. The Association of Public and Land-Grant Universities, which includes the University of Kentucky, in my district, has stated that the overtime rule will likely place upward pressure on tuition and adversely impact outreach missions of universities. Because of the rule, students who are already facing significant barriers to accessing higher education will be further burdened by increased tuition.

Caroline Ruschell, the executive director of the Kentucky Association of Children’s Advocacy Centers, also reached out to me about the negative impact of the overtime rule on her organization’s critical work with child victims of sexual abuse.

To avoid penalties under the overtime rule, many clinics that provide vital exams and treatment to sexually abused children will be forced to reduce the hours of salaried workers, while supplementing those lost hours by overworking other employees. This will result in lower quality care and longer wait times for children to receive the critical treatment they need after facing such horrific trauma.

While the Department of Labor bureaucrats claim that the overtime rule will improve economic conditions for middle-class employees, this onerous regulation on businesses, educational institutions, and nonprofits will have the exact opposite effect by reducing job opportunities and limiting hours for many workers. Nonprofit and universities doing critical work in our communities will be forced to reduce the reach of their efforts by these burdensome regulations.

Mr. Speaker, in 2015, regulations cost us \$1.89 trillion in lost productivity and growth. At a time when job creation and small business growth are critical to our recovering economy, the Department of Labor’s final regulation will be detrimental for millions of hardworking Americans.

This regulation, like so many other regulations in the avalanche of red tape coming out of the Obama administration, hurts the very people that they claim that they are trying to protect and that they are trying to help.

Nearly 8 years after the Great Recession, Americans are stuck in the slowest and weakest economic recovery of their lifetimes, and the reason is simple: this administration is burying the American economy in red tape.

Enough is enough. Leave the American people alone and let them do their work.

VOTE ON GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, on July 14, Republican leaders recessed the House for 7 weeks without taking a single vote on legislation to help keep Americans safe from gun violence.

Ignoring an issue that you don’t want to deal with doesn’t make it go away. House Republicans desperately need to learn that lesson. When Republican leaders in the House refuse to deal with gun violence, the American people pay the price.

During the 7 weeks that the House was in recess, 2,015 people were killed by someone using a gun. Thousands of families across our country have spent the last 7 weeks grieving.

While Republicans are putting their fingers in their ears and pretending that our country isn't in the grips of a gun violence epidemic, innocent people continue to die. What makes this inaction even harder to accept is the fact that, for over 3½ years, I have had bipartisan, pro-Second Amendment legislation that would help make these tragedies less common.

My bill would close a dangerous loophole in our background check system that allows criminals, domestic abusers, and the dangerously mentally ill to bypass a background check in 34 States when purchasing guns online, at a gun show, or through classified ads.

Background checks are our first line of defense when it comes to making sure that dangerous people don't purchase guns. We know that, when used, they work. Every day, background checks stop more than 170 felons, some 50 domestic abusers, and nearly 20 fugitives from buying a gun. But, sadly, this gaping hole allows those same felons, domestic abusers, and fugitives to easily bypass a background check when buying firearms.

H.R. 1217 has 187 bipartisan coauthors and 90 percent of the American people support strengthening and expanding our background check system.

Mr. Speaker, let us have a vote on this bill. Gun violence shouldn't be a partisan issue. When deranged gunmen open fire in a nightclub, movie theater, or school, they don't care if you are a Democrat or Republican. Together, we can build a country in which all Americans feel safe being who they are, having fun in a nightclub, going to school, seeing a movie, going to Bible study, an office party, or simply walking down the streets of their own neighborhood.

Mr. Speaker, let us do the work the American people sent us here to do. Let us vote on the legislation they want to see enacted. Let us vote to keep our fellow Americans safe.

Each day the Republican majority drags its feet and refuses to give us a vote on bipartisan, pro-Second Amendment bills to help keep guns out of dangerous hands, more innocent lives are lost.

Give us a vote. And give us a vote now, before you recess for another break.

CONSTITUTION WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, September 17–23 is Constitution Week, where we celebrate the document and principles that are the foundation of this great Nation. Constitution Day on the 17th marks the ratification of this great document.

The Constitution is the basis of our Nation. It is the reason we are here today. It lays out the fundamental principles and structures of our Nation

and our government. And the Bill of Rights makes clear the rights we enjoy as Americans and the fact that the Federal Government cannot infringe on these rights. Every decision I make as a Member of Congress is informed by the words written in the pages of this Constitution.

All over the world, our Constitution stands as a pillar of justice, freedom, and good governance. Other countries look to our Constitution for guidance as they write their own constitutions and establish their own democracies.

As we celebrate Constitution Week, I also want to recognize the great work of the Daughters of the American Revolution, including the chapters in my district, for their efforts to educate America about this document and its history.

We owe a debt of gratitude to our Founding Fathers in crafting this great document, a Constitution that has stood the test of time.

VA ACCOUNTABILITY

Mr. JENKINS of West Virginia. Mr. Speaker, during two townhall meetings recently, I had the opportunity to hear from our veterans about the care they are receiving from VA hospitals. They want, they need—no, they deserve—a VA healthcare system that works for them, one that gives them timely care, one that treats our veterans with respect and one that holds VA bureaucrats accountable.

I am proud to support H.R. 5620, a necessary step to getting the VA working again for our veterans. I will not stand for a system that rewards Washington bureaucrats for failing to do their job. There are a lot of good, caring people at the VA and their employees at our hospitals, and we need to make sure they have an environment and system where they can serve our veterans.

□ 1030

I stand with our veterans, and for the commonsense reforms to the problems that they are facing. I will continue to work to make sure the VA is held accountable; that veterans receive the best health care in the country—no, in the world—and that a broken system is fixed. Our veterans have sacrificed so much for us, and we must keep the promises we have made to them.

SILENCE EQUALS DEATH IN THE FIGHT AGAINST GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, I rise today to demand a vote on commonsense gun safety legislation. It has been 26 years since our country has passed any meaningful gun safety legislation.

I have only been in the House for a little over 2½ years, and we have had 10 moments of silence to recognize victims of mass shootings during that time.

After Fort Hood in April of 2014, when 19 people were shot in a deadly rampage, Republican leaders brought us together for a moment of silence, but there was no discussion about honoring those lives with our action.

In May of 2014, the country came together after a massacre in Santa Barbara, and families looked to our Nation's leaders to see what they could do. What did they hear? More silence.

In June of 2015, nine parishioners were murdered by a hate-filled radical—who was able to get his gun because of a loophole—while they were at a Bible study at the Emanuel Church in South Carolina. While those lost inspired our country, the Members of Congress bowed their heads in silence and did nothing else.

Then there was Chattanooga, Roseburg, Colorado Springs, and San Bernardino. Dozens were murdered in senseless killing sprees. And while the country demanded a vote to finally do something about gun violence, this Congress responded with silence.

Three months ago, after the worst gun massacre in modern history took place at the Pulse nightclub in Orlando, Florida, some of us had finally had enough. If our friends in the LGBT community have taught us anything, it is that silence equals death. And this is no time to be silent.

Our frustration, and the frustration of the American people, resulted in a sit-in that gave voice to the American families who are fed up with a Congress that is cowed into silence by the rich and powerful gun lobby.

Here we are, 3 months later, and House Republicans have spent more time thinking about how they can punish us for that sit-in than doing anything to address the gun violence devastating Americans.

In July, rather than allow debates and votes on keeping American children and families safe, Republican leaders adjourned this House. Since then, an additional 2,015 Americans were killed by guns. In Chicago alone, 3,000 people have been killed or injured by guns just this year.

This is a public health crisis, and this Republican Congress has returned to its routine silence instead of working to keep Americans safe. I am here to tell you, the American people will not forget and will not continue to stand for this silence and inaction.

Every single day, victims and survivors of gun violence come and tell their heart-wrenching stories to Members of Congress.

I have stood with Felicia Sanders as she gathered the courage to stand in front of our Nation's Capitol and tell the story that no mother should have to tell. At Emanuel Church in North Carolina, Felicia's son, Tywanza, ran toward the gunman while trying to shield others in his Bible study group. Tywanza was only 26 when Felicia said her final goodbye.

I have had the honor of thanking Catherine Bodine for coming and telling her story to the American people.

Her abuser, who had prior felony convictions, found a loophole, purchased a gun online with no background check, no waiting period, nothing. Catherine was shot three times trying to protect her 10-year-old daughter. Her daughter, Sami, the girl she called her best friend and her inspiration, died in her arms.

These mothers, and thousands more like them, get up every single morning and summon the bravery to be beacons for change this country is asking for. Although their lives are forever changed by violence, they take it upon themselves to fight for their communities, tell their stories, and make sure that no other family has to experience this horror.

My question, Mr. Speaker, is this: If everyday people, moms like Felicia and Catherine, can find the courage to fight for change, why is their courage met with the cowardice of silence?

Let's have a vote, have the debate to honor the lives that they have lost and that we have lost as a country, and let's end this stony, callous silence.

NATIONAL MANUFACTURING DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to recognize October 7 as National Manufacturing Day here in America. As the bipartisan co-chair of the House Manufacturing Caucus, with my good friend from Ohio, TIM RYAN, I think it is only right that we stand to recognize the efforts of U.S. manufacturing across our great country.

We care about U.S. manufacturing because it brings family-sustaining, good quality jobs to the 12.33 million workers that are employed in the United States in the manufacturing industry. That is 9 percent of our workforce, Mr. Speaker, and it contributes \$2.17 trillion to the U.S. economy on an annual basis.

In my district alone, in western New York, the 23rd Congressional District, Mr. Speaker, there are over 404 manufacturers who employ approximately 44,000 people. That is food on the table, Mr. Speaker. That is roofs over the heads of those workers and their families, and it provides an opportunity for those families and the generation that follows with an opportunity to succeed and advance in their life.

It is only right, Mr. Speaker, that we join together, on a bipartisan basis, to support U.S. manufacturing in America. That is why I partnered with my good friend on the other side, JOE KENNEDY, to author and finally get passed into law the Revitalize American Manufacturing and Innovation Act that is the source of innovation in advanced manufacturing going forward.

That is also why I support an all-of-the-above energy plan. That is why we have also put forth a plan in writing to advance the energy effort here in America.

Also, on the Ways and Means Committee on which I serve, I am fully

committed to a better way when it comes to revising and reforming the American Tax Code. It is time for us to have a fair, simple, and competitive Tax Code for all Americans.

On the trade front, Mr. Speaker, I stand in unison with my colleagues on the other side who want to make sure that we have fair trade; that we have enforceable agreements where unfair practices by countries that violate the spirit, the rules, and the law of trade are held accountable. That is why we need to make sure that when we engage in these trade negotiations going forward that we have trade agreements that not only open our market but also, most importantly, open the market of the 95 percent of the world's consumers that live outside of America's borders.

We need to stand with U.S. manufacturers in those negotiations. We need to make sure that U.S. manufacturing interests are put at the foremost priority of the negotiation points.

There is a firm philosophy that I adhere to in our office when it comes to U.S. manufacturing. We have one of the greatest, if not the greatest—no, strike that, Mr. Speaker. We have the greatest workforce in the world. We have the brightest minds in the world in America, and we have the ability to make it here and sell it there.

So I urge my colleagues to join me in recognizing October 7 as U.S. Manufacturing Day. And if you are so inclined, join us in the U.S. Manufacturing Caucus, so you can be an active member participating in the debate to advance U.S. manufacturing interests so that we do, again, make it here to sell it across the world, and we put America's manufacturing interests first in all conversations that we have.

GUN VIOLENCE IS A PUBLIC HEALTH CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 5 minutes.

Ms. PELOSI. Mr. Speaker, there is a public health emergency in our country. Are you thinking of Zika? Are you thinking of opioids? Yes, they are public health emergencies, but there is another ongoing, long-term public health emergency, and that is gun violence.

I thank the chair of our task force, Mr. THOMPSON; Mr. LARSON for organizing it; the great icon, JOHN LEWIS, for galvanizing all of the concern in the Congress around this issue; DAVID CICILLINE and, of course, our distinguished Member we just heard from, Congresswoman CLARK from Massachusetts, for their leadership.

ROBIN KELLY of Illinois has been a champion, and so has JUDY CHU. So many Members have taken the lead on this issue, as ELIZABETH ESTY did before she was even sworn in in Congress, addressing the concerns at Newtown.

Ninety-one people lose their life to gun violence every day. That is not a statistic, that is an outrage. It is a

challenge to the conscience of our Nation to end Congress' appalling inaction on gun violence prevention.

Across America, communities are standing up, speaking out, and lighting the way. A preventable public health crisis is taking the lives of our children, our neighbors, and our friends. You would think that when the lives of little children in school were taken that that would be the end of it, that would end the discussion, and that any common ground that we could find to expand the background checks, which is not a big thing really, in terms of just including Internet sales and gun shows—just expanding what we have, not a big legislative move but would make a tremendous difference in saving lives in our country.

This Congress must hear the voices of those calling for action to keep guns out of the wrong hands. And I want to just talk about some of the voices that I recently heard when I was in Florida a couple of weeks ago. I went to Orlando and visited Pulse, the nightclub where the gun violence there took place. It was gun violence, and it was a hate crime, which is a deadly combination.

When I met with the families and some of the survivors there to hear their concerns about hate crimes and gun violence, they said to me, really to a person, please do something to stop gun violence. As consumed as they were with the fact that this was a hate crime, the gun violence issue was what each one of them spoke about, that they had lost their loved ones.

These are young people out on a Saturday night. One mom who went there to take her son to see his friends and the rest and make sure he was safe, the mom died, and the son survived. Any mom would prefer that outcome, but why does that have to be the choice?

So here they are: if you are in kindergarten, if you are in the movie theater, or if you are in church praying, as was referenced by our colleagues about South Carolina—that was a hate crime, too. The awful statements made by the perpetrator of that crime where he exploited the hospitality that was extended to him to pray together, and then for him to make his hateful remarks, racist remarks, and then do violence on the people who had welcomed him to pray with them.

So where is it that people are safe? What can we do to make a difference?

Well, for one thing, if you are too dangerous to fly, you should be too dangerous to buy a gun. Eighty to 90 percent of the American people subscribe to that. That shouldn't be controversial in the Congress.

We are supposed to be Representatives representing the will of the people. And where there is consensus—we have enough disagreement, but where there is consensus, a public health emergency, and loss of life, even to little children, people in church, young people out on the town, people going to the movies, what is it that our colleagues don't understand?

□ 1045

What is it that our colleagues don't understand? In addition to keeping guns out of the hands of those who are too dangerous to fly, our Nation depends on keeping guns out of the hands of those who shouldn't have them, again, just simply expanding to gun shows and Internet sales. Yet House Republicans won't even give the American people a vote.

Give us a vote and see how it goes. What are you afraid of? Are you afraid? Are you afraid that the American people will be done and that we will have a successful vote on no fly, no buy, strengthening our background check system?

So we are going to be leaving soon. Before we left for the summer, under the leadership of our distinguished leader, whom we all consider a privilege to call colleague, JOHN LEWIS, there was a sit-in on the floor of this House that reverberated across the country. Then we left. Congress shut down and we left.

We are about to do so again, but we have a little time. We have a little time to save lives. What more important thing does any of us have to do than to stay here and pass a law to save lives? If somebody said to you: You could save 90 lives by passing a bill today, wouldn't you do that? Or, why wouldn't you do that? Why wouldn't you do that?

It is really quite a sad thing when people go to the movies—as my colleague, Mr. ISRAEL, keeps pointing out. When they go to the movies, usually they are concerned about are they going to be able to get their popcorn and their whatever in time to get a seat in the theater. Now they want to know where the nearest exit is when they go to the theater. What is that about?

Some people say it is about politics and it is just too politically dangerous for some of our colleagues to vote for the simple expansion of the background check legislation and passing no fly, no buy. It is politically dangerous to them. Whose political survival is more important than the lives of these children, of those people in church, and of those young people out on a Saturday night, people going to the movies? Whose political survival is more important than protecting the American people? That is the oath we take, to protect and defend, whether it is the Constitution, whether it is protecting our country's national security, our neighborhood security, or our personal security.

So let's honor our oath of office. Let us honor our sense of responsibility. Let us respond to those moms and family members and survivors from polls that said: Why? Why are you not passing legislation in the House of Representatives to prevent gun violence, to save lives—to save lives?

So, in any case, I think it is really important. I thank Mr. LARSON for, again, bringing us together. We are not

going away. This will go on and go on and go on until we disarm hate. We are here to save lives here and across the country. We are not going to stop until we enact gun violence prevention laws. We are not going to stop until we get the job done.

Again, I thank our leaders on this important issue. I thank the gentleman from California (Mr. THOMPSON) for his leadership for years now on this subject. Again, hopefully, it won't be too long before our colleagues see the light and decide that their political survival is not more important than the survival of little children in first grade.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

HONORING SHELBY POLICE DEPARTMENT'S OFFICER TIM BRACKEEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, I rise today to deliver a speech to this body that no one wants to deliver. It is with a heavy heart that I speak today in honor of Tim Brackeen, an officer with the Shelby, North Carolina, Police Department, who was mortally wounded in the line of duty this past weekend.

Officer Brackeen was doing his job, keeping our community safe, when he was shot in the line of duty very early Saturday morning. He passed away from his injuries on Monday.

Officer Brackeen was only 38 years old. He leaves behind his wife, Mikel, and a 4-year-old daughter, Daphne.

Officer Brackeen was a law enforcement officer who loved his job and loved what he was doing. He had been with the Shelby Police Department since 2004 and, prior to that, was a detention officer with the Cleveland County Sheriff's Office. For the past several years, he had worked as a K-9 officer with his partner, Ciko. He had a passion for his work and was well-known throughout the community. Officer Brackeen and his dog, Ciko, often did demonstrations to show how officers and their K-9 partners work together to keep us safe.

In 2012, Officer Brackeen's service and dedication to his duty was recognized as he was named the Shelby Police Officer of the Year. The city of Shelby is a truly special place, and so was this police officer.

It was Shelby Police Chief Jeff Ledford who summed up the officer best when he said: "Tim was a great person. If you want to know what Tim was like, just look around this town."

He is exactly right because, Mr. Speaker, Shelby is that very special place. It is a tight-knit community

that still exhibits what it really means to be a community. That was clear Monday night when hundreds and hundreds of people in this small town representing a variety of backgrounds packed the Court Square to pray for Officer Brackeen's family and his fellow officers. It is clear as you drive around Shelby and the rest of Cleveland County and see the black and blue ribbons and the messages of sympathy that adorn the windows of businesses and homes. It was clear yesterday as police officers, firefighters, and everyday citizens lined the streets and overpasses to pay respect to this fallen law enforcement officer as the procession traveled to the funeral home.

This is not the first time I have spoken on the House floor about the Shelby Police Department. In June of 2015, after the tragedy in Charleston, that horrific violence that occurred there, it was the Shelby Police Department that apprehended that vile shooter in that event. What we saw then was a community where faith leaders from every part of that region worked hand in hand with law enforcement to replace the divisions we see in other parts of the country with conversation and understanding that represents the best of what is in western North Carolina. I have no doubt Shelby will respond to this tragedy in similar fashion.

With the perpetrator of this heinous crime captured, our focus turns solely to paying tribute to Officer Brackeen and his life of service.

Mr. Speaker, I extend my condolences to Officer Brackeen's family and to the entire Shelby Police Department as they mourn this tragic loss. May we keep his family, fellow officers, and all our men and women in blue in our prayers.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today disappointed by the lack of leadership on display in this House. Gun violence is a terror in many of our communities, and we must stop it. In 2016, we have had more than 10,000 preventable gun deaths in America.

Consider this: this past Labor Day, the city I represent, Chicago, saw its 500th homicide of the year. We have seen 3,000 people, alone, shot in 2016—3,000 shot, 500 dead, and 90 murdered in August, alone, in one city.

Too often we write gun violence off as an urban condition. But the gun deaths we are facing are not only urban; it is everywhere and impacts us all:

Kids died in Newtown; people were murdered on live TV in Roanoke and massacred in Orlando. Gun violence has altered the lives of Speaker RYAN's constituents in Oak Creek, Wisconsin. It turned fatal for Nykea Aldridge, a mother of four young children in Chicago, who was just walking back from

registering her children for school. It turned family movie night into a horrific final act for 12 people in Aurora, Colorado. Gun violence turned a fun night out in to a final terrifying moment for 49 people in Orlando and left indelible emotional wounds in the hearts of more than 50 others who suffered injury.

Mr. Speaker, what will you do before this year ends to prevent even more unnecessary and preventable gun violence? What are you and your caucus going to do to change the fact that American children are 4 times more likely to be killed by a gun than Canadian children, 7 times more likely than Israeli children, and 65 times more likely than British children?

There is no room for your deafening silence. There is no justification for your gavel to drown out the cries of families being terrorized by gun violence. It is said that "the blood brother of apathy is the inability to prioritize that which is important."

Mr. Speaker, your apathy is America's agony. Our constituents elected us to work together to solve our Nation's biggest problems. If gun violence is not monumental, then what is? Right now, anyone can buy a gun online or at a gun show without a background check. Why does that make sense? We have a gaping hole in our system that must be closed.

Some States and municipalities already have strong, comprehensive background check laws, but many others do not, preventing laws from truly having their fullest impact. This is the case in Illinois.

I represent communities plagued by gun violence. Despite Chicago and Illinois having strong gun laws, our neighbors have very weak gun laws; so a criminal, a domestic abuser, a terrorist, or a person who is dangerously mentally unstable cannot get a gun in Illinois, but they can jump in their car, drive to a gun show in a bordering State like Wisconsin to buy a gun, and drive back to commit a horrible and preventable crime.

In a 4-year period from 2010 to 2014, 10,000 crime guns recovered in Illinois were from other States. Nearly 1,000 of the guns killing my fellow Illinois residents came from the Speaker's home State of Wisconsin. Wisconsin's lax gun laws are tied to 10 percent of Illinois crime guns.

This demonstrates what is all too obvious to 90 percent of the American public: it is the duty of Congress to pass comprehensive background checks to ensure that no matter where a dangerous person lives or travels, they cannot access a firearm.

If you are too dangerous to buy a gun in Illinois, you are too dangerous to buy a gun in Wisconsin. Forty percent of gun sales are online or at gun shows, where a background check is not required.

What if 4 out of every 10 people at an airport or right here in the Capitol didn't have to go through security?

Would we enjoy the same level of safety as we do?

Requiring comprehensive background checks is a simple, logical measure. It is embarrassing that we are even having this discussion. This isn't about taking away our constitutional right to bear arms. Law-abiding citizens who aren't dangerous and can pass a background check will still have access to their firearms for hunting, self-defense, and for personal, legal use.

So, if you are not a danger to yourself or others, is undergoing a background check in order to maintain and buy a gun really that much of a big burden? Second Amendment rights, like all other Amendments guaranteed by our Constitution, have logical limits.

Keep guns out of the hands of the terrorists killing our children, off our playgrounds and streets, and away from people who are killing police officers like the one we just heard about. Once again, I ask: Who has to get shot, and just how many have to die before you do your job, Mr. Speaker?

MINNESOTA'S HUMANITARIAN SERVICE MEDAL RECIPIENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize the incredible work of Keith Kieffer, which has made him the deserving recipient of the Humanitarian Service Medal.

Keith began his service to this great Nation when he joined the Air Force in 1975. Three years after his enlistment, Keith received orders to go to Enewetak Atoll in the Marshall Islands, where his mission was to clean up contamination from 43 atomic bombs that were dropped on that island.

During his time on the island, Keith cleaned up World War II wreckage as well as dug trenches, which exposed him to contaminated soil.

□ 1100

Upon his retirement from the Air Force in 1978, Keith earned the title of "Atomic Veteran."

Keith is a true American hero. He selflessly put his own well-being on the line to protect future generations.

Congratulations on receiving the long, overdue Humanitarian Service Medal, Keith. Your service will never be forgotten.

REMEMBERING HAZEL YOUNGMAN

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate the life of Hazel Youngmann, a St. Cloud native who dedicated her life to helping the disabled.

Hazel worked tirelessly to reform our community in order to make it more accessible for those with disabilities. She did so through her work on the Whitney Senior Center Board, the St. Cloud Parks and Recreation Board, and the Stearns County Human Services

Advisory Committee, just to name a few.

Even though Hazel had her own limitations with mobility, hearing loss, and vision loss, she pushed through and attended countless meetings despite the physical toll it took on her.

Hazel's unwavering optimism, determination, and passion for others is an inspiration and should serve as a model for the rest of us. Our thoughts and prayers are with Hazel and her loved ones during this difficult time. Be assured and comforted that her legacy will live on.

EVERSON'S HARDWARE CELEBRATES 50 YEARS OF SUCCESS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Everson's Hardware in Waconia, Minnesota, for 50 years of business success.

Ron and Mary Ann Everson bought the store back in 1966, when they were just a young couple with two growing children. Throughout the years, Everson's Hardware has become a well-respected and established part of the community, and the Everson family has realized their American Dream.

Eventually, Ron and Mary Ann passed the store along the way to Tracy and Deborah Everson, who continue to work behind the counter in this family store today. Small, family-operated businesses are what make Minnesota so great. They make our community special.

I want to thank the Everson family for their lasting contribution to Waconia. Congratulations and best of luck on the next 50 years.

GUN VIOLENCE PREVENTION DAY OF ACTION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise in support of all Americans whose lives and communities have been affected by gun violence, and to highlight the Gun Violence Prevention Day of Action.

After the tragic 2014 mass shooting in my Congressional District on the central coast of California, our community declared that not one more life should be lost to gun violence. Yet, today I stand before this Chamber with a heavy heart to mourn the many individuals who have been killed by a gun since that tragedy. And that number is staggering.

In fact, over 2,000 men, women, and children have lost their lives to gun violence since the start of the congressional recess in July. That is 2,000 people in just 60 days. Right here in our country. Our country is better than this.

House Republicans' decision to dismiss the House for 7 weeks without so much as debating gun violence legislation is shameful. Going home to our districts without addressing life and death issues is not what the American people expect of us. They deserve better.

But here we are, back in D.C., with Democrats ready to work together to move commonsense gun safety measures. We just need a partner. We cannot ignore these problems because they are hard. We cannot stand by hoping the problem of gun violence will go away by itself. We cannot continue to shirk our duties as Representatives while those we represent are dying.

There are commonsense regulations for Congress to debate. The American people overwhelmingly support closing loopholes in the background check system for firearm sales. Democrats, Republicans, gun owners, even members of the NRA support background checks; but the Republican leadership will not debate expanded background checks.

The American people also support closing gun sale loopholes, which let dangerous individuals gain access to weapons without any review. Democratic and Republican lawmakers have introduced bills that would close gun sale loopholes, but the Republican leadership will not allow the House to debate closing these dangerous loopholes.

The American people support the no fly, no buy bill, which would prevent terror suspects—terror suspects on the FBI watch list—from purchasing weapons. This is the very least we can do. But, again, the Republican leadership will not bring up no fly, no buy for debate.

By not allowing these kinds of votes, or even these important debates, House leaders are failing the American people. We know that if we do nothing, if we don't even try, nothing will change. Our communities are hurting, and they demand action. It is time to answer that call.

Mr. Speaker, whether or not you support this legislation, the American people demand that you do your job and hold a vote on the commonsense gun legislation they overwhelmingly support. It is the least we can do.

105TH ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA ON TAIWAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, this Nation has many friends around the world, but almost no country has been a better friend to the United States than has been the Republic of China on Taiwan, or, as it is more commonly known, Taiwan.

I would like to recognize Taiwan in advance of the 105th anniversary of the founding of that great country. On October 10, the people of Taiwan will commemorate the founding of a nation which has much to be proud of in this year.

Over the past 50 years, Taiwan has undergone dramatic political, social, and economic changes, and is now the only democracy in the Chinese-speak-

ing world. This year, the people of Taiwan witnessed the third peaceful transition of power. This election was especially meaningful with the election of the first woman President, Dr. Tsai Ing-wen.

There are important common values and principles that fundamentally link the United States and Taiwan, including respect for human rights, freedom, and democracy. I commend President Tsai Ing-wen for refreshing Taiwan's commitment to renewing Taiwan's commitment to these values.

The Republic of China on Taiwan has become a trailblazer in the industrialized world with a vibrant and growing economy and a flourishing free people. Taiwan has surpassed India and Saudi Arabia to become the 10th largest trading partner of the United States. I cannot overemphasize how important this economic powerhouse and democratic ally is to the United States and to our trade relations.

While I have some very serious concerns regarding the Trans-Pacific Partnership, if the United States ends up finalizing this agreement, Taiwan should definitely be included.

In the early 1960s, my father was the mayor of Knoxville, and he met at that time a man named Nelson Nee. Mr. Nee was then head of the University of Tennessee's international students program, but he later became a very successful businessman in California importing products from Taiwan. The result of Mr. Nee and my father's efforts to bring students from Taiwan to UT has resulted in a very large UT alumni group in Taipei—an alumni group of several hundred. Also, we have a very large and active Taiwan group in Knoxville and east Tennessee.

I had the privilege of spending a week in Taiwan, along with Congressman PETE SESSIONS and former Congressman Sonny Callahan, about 15 years ago. At the end of that trip, I asked one of the officials to tell me how you say in Chinese, "Thank you for your friendship." I was told that you say, "Shieh shieh ni de yo yi."

I simply will end by saying to Taiwan once again, thank you for your friendship.

UNIVERSAL BACKGROUND CHECK AND NO FLY, NO BUY LEGISLA- TION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ESHOO) for 5 minutes.

Ms. ESHOO. Mr. Speaker, I was proud to join our Nation's great civil rights leader, JOHN LEWIS, and so many of our outstanding colleagues that have spoken out on the issue of gun violence when we had our historic sit-in in the House in June.

Our request then and our request today are the same. I think it is really rather simple. We are asking to be allowed to vote on two commonsense bills to keep guns out of the hands of dangerous people—a universal back-

ground check bill that will close loopholes and no fly, no buy legislation to prevent people who are on the FBI's terrorist watch list from buying guns. Imagine, the FBI has them on a watch list but they can still buy guns. Both proposals have overwhelming support of the American people and they have bipartisan support in Congress.

Background checks are supported by 9 out of 10 Americans, and they have been proven to be successful at keeping guns out of the wrong hands. Every day, background checks stop more than 170 felons, 50 domestic abusers, and 20 fugitives from buying guns. Where these loopholes have been closed in States, such as Connecticut, the numbers have dropped dramatically.

Today, under current law, up to 40 percent of gun sales are completed with no background checks whatsoever. In our great country, no background checks whatsoever. People can buy guns online the way you can go out and buy M&Ms. Meanwhile, the most common places where the American people go—to church, to school, to movie theaters—they are under siege.

This Congress, do you know what this Congress has done, for anyone who is listening in?

We have had 31 moments of silence.

Mr. Speaker, sympathy is not enough. In fact, it comes off as being hypocritical. As sincere as people have been when they bow their heads for less than a minute, it is not enough. We have an epidemic in our country, and we can do something about it. We have bipartisan legislation.

Now, meanwhile, bills have been brought to the floor without one cosponsor. But Mr. KING's and Mr. THOMPSON's legislation, H.R. 1217, has 186 cosponsors.

Now, why can't we vote on this? Why?

I think that there is a complicity with the NRA with all of these deaths around the country, the violence that has taken place, of innocent people—children, young people, adults—and then all of the aftermath of grieving. And the families that have lost someone, they have a mark on their soul. They will grieve the rest of their lives.

We are asking for a vote. If you don't agree with me, vote "no." But, Mr. Speaker, we have a responsibility, and I think a high moral responsibility, to address this. We are asking that these two bills be brought to the floor. Law enforcement supports these bills. The American people support these bills. Mr. Speaker, I think it is about time that these bills be brought to the floor. We can save American lives. Imagine that. By adopting these two bills, we can save American lives.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY), someone who has been a leader on this issue.

Ms. ESTY. Mr. Speaker, we need a vote. What will it take for this House, the people's House, to finally vote on commonsense, bipartisan legislation to save American lives?

Since the murder of 20 schoolchildren and 6 educators in one of my communities in Newtown, Connecticut, 3 years and 9 months ago, we have not had one single debate and not one vote.

□ 1115

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. CAPUANO) for 5 minutes.

Mr. CAPUANO. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, we are here again today because the American people are demanding action; they are begging us to stop the killing. And I urge my Republican colleagues: Listen to your constituents. Do your job. Pursue commonsense gun violence legislation.

We need to vote on legislation that makes a real impact on the epidemic of gun violence in this country, and we need to vote now. The American people want us to do our job. They want bipartisan legislation, and we have a moral obligation to take action.

For each of us, it is personal. In every community, the effects of gun violence have left scars that will never heal. In my home State of Connecticut, we know how devastating this can be. After the tragedy at Sandy Hook Elementary, we lost 6 incredible caring adults, 20 beautiful children. We said, "Never again."

Since Sandy Hook, 39,000 or more people have been killed by a gun. There have been over 1,200 mass shootings in movie theaters, churches, nightclubs, and safe havens. We have held 31 moments of silence on the floor of the House in honor of these brothers, sisters, children, and babies; yet we have held zero votes on bipartisan gun violence prevention legislation.

Let's move to a real no fly, no buy bill, one that actually prevents potential terrorists from getting dangerous weapons. We need to address the issue of universal background checks. The gun lobby would have you believe that background checks are a wedge issue. It is a lie. Ninety two percent of gun owners support background checks and 72 percent of NRA members support background checks.

The victims' families do not get a break from their grief, so we will not take a break until we get a bill, a real bill with concrete, enforceable measures that will stop the killing. The American people deserve real, concrete gun legislation.

How many more people must suffer and die before we open our eyes?

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, you probably haven't heard of Tamia Sanders.

This young woman here was 14 years old. She was killed while sitting on her porch next to her mother on August 12 in Jacksonville. You probably didn't hear that Tamia was an honor student or that she had a beautiful smile. There were no moments of silence for Tamia on the House floor because she was just another little Black girl killed by street violence.

You probably haven't heard about Willow. She was 2 years old. She and her mother, her 8-year-old sister Liana, and 6-year-old brother Mark, Jr., were killed. Willow was just 2 years old when her father killed her along with the rest of the family on August 6 in Sinking Spring, Pennsylvania. And you probably haven't heard that Willow had survived a heart transplant when she was 6 days old and that her mother fought hard to make sure Willow had enough medication.

Willow didn't get a moment of silence on the House floor either because she was just another child killed by someone who was supposed to love her.

You definitely didn't hear about the two people found dead in the house in Mead Valley, California, on August 5. No one published their names or their ages or whether anyone noticed they were dead.

The same can be said for an unidentified woman killed on the street in Los Angeles on August 8, two unidentified men killed in a parking lot on August 13 in Milwaukee, and two unidentified women killed on the street on August 28 in St. Louis. They certainly didn't get a moment of silence on the House floor because they were just more anonymous victims of gun violence.

There have been 322 mass shootings this year, more shootings than there have been days in the year so far; 416 people gunned down; 1,161 people who have been injured. Yet we only tell their stories if the killing is particularly large, like the Pulse nightclub, or particularly terrifying and political, like the San Bernardino terrorist attacks.

Daily mass shootings have somehow become commonplace, their victims nameless and mourned only by those who knew them. But I say that this is a national tragedy, and we should all mourn.

We should grieve for Antonio Hinkle, who was 32 when he was killed at a cookout on August 27 in Brighton, Alabama. He died pushing children out of the way of gunfire, and he left behind three children of his own.

We should grieve for Isaiah Solomon, 15, and Tafari West, 22, who were killed when someone opened fire on a vigil for another dead teenager on August 27 in Miami, Florida.

We should grieve for Shannon Randall, 35; her boyfriend, Joseph Turner, 27; her brother, Robert Brown, 26; and their relatives Justin Reed, 23, and Chelsea Reed, 22, who were killed in their sleep by a friend's boyfriend on August 20 in Citronelle, Alabama. They were sheltering their friend who had

fled an abusive relationship. Chelsea was 5 months pregnant when she and the others were gunned down.

These are the people who don't make the national news: the girl walking to her neighborhood convenience store, the boy playing on the front lawn, the woman trying to leave an abusive relationship, the grandfather sitting on his porch. They were robbed of life because this Congress refuses to act.

Colleagues, we must honor them by speaking out. Now is the time for a vote. Let's lift the ban on research on gun violence. Let's expand background checks to all gun purchases. Let's close loopholes that let known and suspected terrorists buy guns. Let's commit resources to make smart guns that are less dangerous to children who find them.

A little girl was killed while sitting on her porch right next to her mother. Say her name, Tamia Sanders, and honor her memory with more than a moment of silence.

PREVENTING GUN VIOLENCE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. LEWIS) for 5 minutes.

Mr. LEWIS. Mr. Speaker, I rise yet again to speak out about mass shootings and gun violence in our Nation. When I think of Newtown, of Charleston, of Orlando, my heart just breaks.

Mr. Speaker, what would it take for Congress to act? How many more must suffer? How many more must die? How many more little children must die? How many more mothers and fathers will mourn the loss of a child?

Today, Mr. Speaker, I ask you to think of Taylor Hayden, the beautiful young woman celebrating a girls' weekend in Atlanta who was killed by gang crossfire. Please think of the young woman killed while driving home from work in southwest Atlanta. Think of the woman fighting for her life at this very moment in Grady Hospital in downtown Atlanta. Just last week, she was injured in a shooting that brought the interstate, I-85, to a stop.

Mr. Speaker, time and time again, we asked for compassion. Time and time again, we asked for action. Time and time again, we asked for leadership. Our people are sick and tired of a do-nothing Congress. They elected us to do our jobs. Instead, Mr. Speaker, we take a break.

Mr. Speaker, Republicans must join with Democrats and do what is right, what is just, what is fair, and what is long overdue. There are good, commonsense proposals that not only protect rights, but also will save lives. These bills should be passed. Bring them to the floor. Let us have a vote. Give us a vote. Time is of the essence. We cannot be silent, and we will not be silent. We cannot wait for another time, another place, another person. Mr. Speaker, the time is now for us to act.

Today I urge all of my colleagues to join us. Be brave. Be bold. Take a stand for what is good and necessary. Or if you prefer, please take a seat, roll up your sleeves, and let's go to work. The time for silence is over. It is time to move.

Mr. Speaker, I truly believe that the spirit of history is upon us. We have a mission. We have a moral obligation and a mandate to do what is right. History will not be kind to us if Congress continues to turn a blind eye and a cold shoulder to those crying, begging, and pleading for action.

I ask my colleagues, each and every one of you, to join me in the well. We must pass commonsense legislation to prevent gun violence and mass shootings in our country, and we must act now. History is demanding, the people are demanding that we act, and that we act now—not next week, next month, or next year, but now, before we leave and go home.

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at noon.

PRAYER

Reverend Dr. Phillip L. Pointer, Sr., Saint Mark Baptist Church, Little Rock, Arkansas, offered the following prayer:

Great Eternal One, we thank You for these Representatives whom you have given the sacred trust of participating in governing this great Nation.

We ask for Your blessing as they begin this session, which will serve to improve the lives of the citizens of this country. Please give them Your wisdom, resolve, and compassion.

May Your Spirit guide every heart, mind, and word so that, by Your power, justice, peace, prosperity, and wholeness are experienced by all who are blessed to live in this land.

Help our Representatives to continue to fully embrace the enormity of this task and to carefully execute their duties with integrity.

Bless their families and loved ones who participate in the sacrifice of governing vicariously.

Encourage them and grant them Your joy during difficult and lonely times.

Let Your loving light emanate from this House today and every day for the sake of Your glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. KILDEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KILDEE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. ROTHFUS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROTHFUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR.

PHILLIP L. POINTER, SR.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas (Mr. HILL) is recognized for 1 minute.

There was no objection.

Mr. HILL. Mr. Speaker, I rise to welcome today's guest chaplain and my good friend, Reverend Phillip Pointer, or "Pastor P" as he is known throughout our community.

Realizing his love for preaching the ministry as a teen, Pastor P earned his Doctor of Ministry from United Theological Seminary in Dayton, Ohio, and his Master of Divinity with honors from The Samuel Dewitt Proctor School of Theology at Virginia Union University in Richmond, Virginia.

Having devoted much of his life to the church, Pastor Pointer found his way to Saint Mark Baptist Church in my hometown of Little Rock, Arkansas, in 2012, after 10 years as pastor of St. John Baptist Church in Alexandria, Virginia.

As a loving husband and father, Pastor P understands the challenge in balancing his responsibility to the church and to his family. At Saint Mark Baptist Church, Pastor P highlights the importance of our youth, with the church, adopting the motto "You. Grow. Here." to advance a safe, loving environment for families and children.

Within 2 years of Pastor P's time as senior pastor of the church, a new youth center was built to give Saint Mark kids a safe environment to learn and play.

Pastor P is the proud husband of his wife, Keya, and he is the loving father of their three children, Gabie, P.J., and Elijah.

I want to thank Pastor Pointer for gracing us with a wonderful opening prayer, and I wish him, his family, and Saint Mark Baptist Church continued success in the Little Rock community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

VA REFORMS NECESSARY

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, I heard from veterans in my district years ago—long before I was the majority leader—that they weren't getting the disability payments they deserved. They submitted their claims, but the VA was too backed up. The process was taking months, sometimes years. The appeals process quickly became a never-ending bureaucratic maze.

After a report from the GAO and countless legislative hearings and testimony, today we vote on reforms by Chairman MILLER to ease the backlog that has only gotten worse.

Reforms to the VA are necessary. You can ask any vet who has had to wait or any whistleblower frustrated with the VA's culture. The VA has a long laundry list of changes it must make, but there is a problem. Unless the VA holds that handful of employees accountable who turn a blind eye, show up to work intoxicated, or falsify wait times, the culture won't change.

So, Mr. Speaker, I ask: What would you do if you found an employee drunk on the job? Or, what if an employee was caught high on cocaine or found selling heroin in his free time? I think the words, "you're fired," come to mind pretty quickly. But for reasons I cannot even begin to understand, this logic is suspended for government employees.

When you turn a blind eye to unacceptable behavior, that is more than a management issue. Bad employees can make mistakes that threaten people's very lives.

Today, the average time to dismiss somebody from the VA is more than a

year. That is unacceptable. That is why Chairman MILLER's bill is needed. We need to protect the VA and those who go to it—the veterans who need the service. That is why I ask all, when we bring the bill up, please support it.

GUN VIOLENCE

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, I rise today to speak on gun violence.

Two-thirds of gun deaths are suicides, but rarely part of the conversation. These deaths are not inevitable. Allowing Centers for Disease Control and Prevention to research this, along with doing universal background checks, can and do save lives.

September is Suicide Prevention Awareness Month. It is time for advocates to share stories of hope and to find solutions to self-harm. We must educate ourselves and our neighbors on signs and symptoms of depression to reduce suicide by gun.

Further work is needed. We must promote gun safety without stigmatizing those with mental illness. Congress must work to keep guns out of the hands of people who should not have them: domestic abusers and individuals with violent histories like assaults.

This is too important. We must act now. No longer can we tolerate it.

STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY

(Ms. STEFANIK asked and was given permission to address the House for 1 minute.)

Ms. STEFANIK. Mr. Speaker, in my district, industries ranging from manufacturing to renewable energy production to mineral production regularly tell me about the need for a trained and qualified workforce. When I visit with students and families across my district, I hear about how eager workers are for these advanced opportunities.

Over the past 2 years, I have visited many of the BOCES, CV-TEC, and P-Tech programs throughout my district and know how critical the training they provide is to preparing our students to compete in a 21st century economy.

This is why I was proud to work with my colleagues on the Education and the Workforce Committee to pass the Strengthening Career and Technical Education for the 21st Century Act. This bipartisan bill will help equip students with the skills and experience they need to find jobs that will lead to long, fruitful careers by encouraging more local control and flexibility.

I am pleased that the House overwhelmingly passed this important legislation, and I urge the Senate to pass it and send it to the President's desk.

VOTE ON GUN LEGISLATION

(Ms. ESTY asked and was given permission to address the House for 1 minute.)

Ms. ESTY. Mr. Speaker, the American people deserve and the American people demand a vote on commonsense, bipartisan gun safety legislation.

During the 7 weeks that Congress was in recess, thousands of Americans were killed by guns. Each one of those Americans was precious. They had family, loved ones, coworkers, and neighbors. In the 3 years and 9 months since 26 people were killed in my district—20 first-graders, six teachers and educators—we have had not one debate, not one vote on this legislation.

The time has come. The time is now. We demand a vote.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today in support of H.R. 5620, the VA Accountability First and Appeals Modernization Act, of which I am a cosponsor.

We owe our brave veterans a debt we can never repay. As a small token of our gratitude, we have the privilege of providing veterans with appropriate care and benefits. Too often, the care provided at the VA expresses the opposite of gratitude and does not demonstrate the privilege of serving veterans.

This legislation promotes accountability by allowing incompetent VA employees to be fired for poor performance or misconduct. This legislation will also help the thousands of veterans stuck in the appeals quagmire by providing veterans more options in the appeals process.

Restoring accountability and transparency at the VA should not be a political issue. I urge all my colleagues to join me in support of H.R. 5620.

GUN ACTION THREAT OF CENSURE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, it has been almost 3 months since I joined JOHN LEWIS and my Democratic colleagues right here for a sit-in on the House floor to demand a vote on commonsense gun violence legislation.

Instead of letting us vote, instead of confronting this issue, Speaker RYAN and my Republican colleagues left town. Now we are back in session, there is still no talk about holding a vote, but there is a lot of talk coming from my colleagues on the other side of the aisle about punishing us for protesting on the House floor.

I hope they do. But I am not going to apologize for what I did. I am proud

that I did something to try to save lives.

I think they should apologize to the American people because they have not allowed us to vote on commonsense gun violence legislation. I think they should apologize, but they continue to do the bidding of the gun lobby. And I think they should apologize that, during our 7-week recess, 2,015 Americans were shot and killed.

My Democratic colleagues and I took action. They continue to sit on their hands.

□ 1215

LITTLE KIM WANTS WAR WITH THE UNITED STATES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, "This is not directed at Japan. The nuclear development is toward the United States," said an adviser to North Korean dictator Kim Jung Un.

Frankly, Little Kim makes his father look normal. His saber-rattling regime has once again attempted to fire intercontinental ballistic missiles. Meanwhile, the administration is naively pursuing a strategy they call "strategic patience." In layman's language, that means "doing nothing."

This hopeless appeasement policy has not worked. The North Korean plan is to launch nuclear missiles from submarines at the United States. Isn't that lovely?

The rogue state's belligerence has put the entire region at grave risk of aggression, nuclear proliferation, and war.

Historically, North Korea, like Iran, was a state sponsor of terrorism. Eight years ago, the United States withdrew the designation when North Korea lied and promised to halt its nuclear program. But North Korea continues to develop nukes.

Strategic patience is a blissfully ignorant failed foreign policy. North Korea must have consequences for its aggressive and belligerent actions. Time to put Junior Kim's regime back on the State Sponsors of Terrorism list, because he is a terror to world peace.

And that is just the way it is.

GUN VIOLENCE

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I would like to discuss gun violence facing our citizens and police.

Law enforcement officers and first responders across the country are faced with difficult and often unpredictable situations on a daily basis that require careful response to ensure public safety. That is why I introduced H.R. 5864.

This bill aims to provide officer and law enforcement personnel with appropriate intervention tools and techniques to address interactions involving individuals with mental illness experiencing a crisis.

H.R. 5864 calls for specialized training that provides officers with the tools to recognize the signs and symptoms of mental illness, including stabilization and deescalation techniques; partnerships community resources; and provides funding to create State databases for public safety and outreach.

I urge my colleagues to support H.R. 5864 to provide our police with additional resources benefiting our communities.

THE EPIDEMIC OF DRUG USE

(Mr. ZINKE asked and was given permission to address the House for 1 minute.)

Mr. ZINKE. Mr. Speaker, I rise today to highlight the need for us to work together to fight the epidemic of meth and other dangerous drugs. Meth affects all of our communities.

In Montana, the criminal justice and foster care systems are being pushed to their absolute limits. In Missoula County this year, 72 cases of meth. At the same time in 2007, there were zero. And the meth seizures are up 38 percent.

So what can we do? We need to stop the drug from making its way to communities, and we need to secure our southern border. The FBI, DEA, Border Patrol, and local law enforcement officials all say the same thing. Mexico is where the preponderance of the drugs are coming from. We know how to stop it and we can shut it down, and we can secure our southern border.

We also need to empower our health providers to provide addicts and users a path for recovery. All too often, those who suffer drug addiction also battle with mental health issues, and, sadly, it drives many to take their own lives.

I was at a powwow with the Assiniboine-Sioux, the great nation, and a gentleman told me a term for it, "oh-nee-op-ee," which means complete loss of hope. I haven't lost hope. I believe this House and this Nation are up to the task.

TRIBAL PIPELINE

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, recently, the Standing Rock Sioux Tribe watched in anger as an oil pipeline project near their homes moved forward. Sadly, the tribe's concerns about the impact on their drinking water and on sacred lands was not properly taken into account, so the tribal members raised their voices, and they weren't alone.

In an unprecedented demonstration of support, thousands of Americans, tribal members from all over, including

many from my region, journeyed to North Dakota to stand in solidarity and peaceful protest with the Standing Rock Sioux.

The call to respect their rights was heard. Thanks to the Obama administration, construction in the disputed area has been halted so that there can be further review, and that is a victory.

But there is more work to do. I joined many of my colleagues to call on the Government Accountability Office to thoroughly inspect Federal policies that protect the health and environmental security of American Indian and Alaska Native communities.

We have a sacred trust and treaty obligations to our tribal neighbors that cannot be broken. Their sovereignty must be respected, not just on this project, but whenever the Federal Government is acting in a way that impacts them.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, our Nation is being ravaged by skyrocketing levels of prescription opioid and heroin abuse, and our veterans have been particularly hard hit. Today, 68,000 veterans are struggling with opioid abuse disorder.

Veterans suffer higher rates of opioid abuse than their civilian counterparts, and the number of opioid abuse disorders among veterans has increased 55 percent over the past 5 years.

This is why I joined my colleague from across the aisle, BILL KEATING, in introducing H.R. 5057, the Safe Prescribing for Veterans Act. This bill encourages increased safety in opioid prescribing practices by ensuring that healthcare professionals within the VA who are authorized to prescribe controlled substances complete at least one continuing medical education course in pain management every 2 years.

Last night, Mr. KEATING and I offered this proposal as an amendment to H.R. 5620, the VA Accountability First and Appeals Modernization Act, and it passed with strong bipartisan support. This amendment has the potential to save thousands of lives by increasing opioid abuse awareness among the nearly 55,000 VA health professionals working across the country.

I commend my colleagues for supporting our efforts.

THE NUMBERS ARE VERY GOOD

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, yesterday's annual report by the Census Bureau brought some very good news to the American people.

Last year, for the first time in nearly two decades, three key economic indicators all moved in the right direction: median household income is up a staggering 5.2 percent, which translates into over \$2,800 a year for the typical American family; the poverty rate went down by the largest amount, or largest 1-year drop, in recorded history; and the number of Americans without health insurance has now dropped to a historic low. Add to all of that an unemployment rate at 4.9 percent, and we have witnessed the largest and longest streak of job growth in history.

These numbers show, even as we face serious challenges, our progress is real, our recovery is sound, and our reasons to hope are many.

IRAN MONEY FOR HOSTAGES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, Iran is the single biggest state sponsor of terrorism in the world, but that didn't stop the Obama administration from providing \$1.7 billion in cash, we finally found out, to the Iranian Government. This money, along with the \$150 billion already in sanctions relief that Iran previously received, will likely be used to finance acts of terrorism directed at our interests and our allies.

Many Americans at home are probably wondering why their government provided such a large cash payment to a country that sponsors terrorism, especially in the dark of night on a big pallet. The Obama administration says these payments were connected to an Iranian purchase of American airplane parts back in the 1970s.

Of all the disastrous foreign policy blunders this administration has made, this is the hardest one to understand. Paying \$1.7 billion in cash to one of our adversaries is outrageous, and the fact that these payments were used as leverage in order to secure American hostages raises serious questions about the administration and the State Department's judgment.

Iran refuses to act like a responsible nation that respects international norms and rules. Our government should treat them accordingly. That is why I am proud to sponsor Chairman ED ROYCE's bill, H.R. 5931, which will prohibit all cash payments to Iran.

HONORING THE HEROIC ACTIONS OF ROB MCCANN

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, I want to talk for a moment about Rob McCann.

Rob came to our office in Maine a year ago as a fellow with the House Wounded Warrior Program. Just as he

served our country in countless combat missions in Afghanistan, Rob is now serving Maine veterans as a congressional staffer.

Last week, Rob represented our office at the retirement ceremony of an employee at Togus, our VA Hospital in Maine. The retiree's 92-year-old father, a World War II veteran, was there to participate in the ceremony. But moments before it ended, as they walked to a barbecue nearby, he collapsed from a heart attack.

Rob leapt into action and put his Marine Corps training to work. With the help of a few other bystanders, he began administering CPR, which they continued until medical professionals from the hospital arrived.

Thanks to Rob and the VA employees who jumped in to help, a World War II vet is alive and well and walking around today.

I couldn't be more proud of the work that Rob does in our office every day, and I am especially proud of his quick response to save the life of a fellow veteran last week.

NORTH SHORE SENIOR CENTER CELEBRATES 60TH ANNIVERSARY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to celebrate the North Shore Senior Center's 60th anniversary. Since 1956, they have been a vital part of our community. I am proud to have one of the largest senior centers in the entire Nation in our community.

We have seen their impact firsthand on thousands of our residents. Our seniors benefit from the many services and activities they offer, providing help for all who need it, regardless of social, physical, or economic hardships.

Mr. Speaker, the organization has won countless awards throughout their 60 years of service, and I would like to acknowledge them once again.

I offer my most sincere congratulations to the executive director, Jordan Luhr, and president emeritus, Joan Golder, and everyone else who has helped make this center grow over the years.

Moving forward, I remain committed to working with the leadership at the North Shore Senior Center to continue their strong legacy of providing a positive and healthy community for seniors in the 10th Congressional District.

SUICIDE PREVENTION MONTH

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today out of respect for all those across the country who have lost a loved one due to suicide.

September is Suicide Prevention Month, time to raise awareness of a mental illness that far too many of our

veterans and their families find great difficulty discussing.

We have all heard the numbers: an estimated 20 veterans commit suicide every day, nearly one life every hour. Those horrific numbers have names, the names of men and women who put themselves in harm's way to keep each other and every one of us safe.

Last year, we passed the Clay Hunt Suicide Prevention for American Veterans Act. It addresses the need for more mental health care experts inside the VA, evaluates what is working and what is not, and gives veterans more time to get the mental health care they need.

In Nebraska, we are working with the VA to create centers of excellence, a national model for veterans care that will include top-flight mental health treatment, including for post-traumatic stress, depression, and anxiety.

The debt we owe our veterans is a debt that can never be repaid, but we must keep our promises to our veterans and support their unique healthcare issues.

CONGRATULATING SOUTHWEST INDIANA CHAMBER

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to congratulate the Southwest Indiana Chamber on an outstanding and well-deserved national recognition. In August, the Southwest Indiana Chamber of Commerce was named the National Chamber of the Year at a gathering of the Association of Chamber of Commerce Executives.

This national designation is a testament to the indelible impact the men and women at the Southwest Indiana Chamber have made in the community to improve education, transportation, economic development, and the quality of life of our fellow citizens.

Southern Indiana has a reputation as a great place to live, work, and raise a family, and people around the country are taking notice, thanks in part, to the hard work and dedication of this organization.

So congratulations to the entire staff, board, and members of the Southwest Indiana Chamber of Commerce on this outstanding and much-deserved recognition.

□ 1230

GUN VIOLENCE

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, in just 7 weeks, as Members were in their districts this summer, at least 2,015 lives were lost to gun violence—2,015 men, women, and children. Add a few more weeks to that total and you have al-

most as many people as were murdered in the deadliest terrorist attack in the United States when two planes flew into the World Trade Center. That is the equivalent of 41 Orlando terror attacks in 7 weeks. This is appalling, and yet these killings are barely discussed, as if they are simply the new normal.

In a town hall I hosted last month, I talked with constituents about gun safety and how we could attack the scourge of gun-related deaths in this country. The message from that meeting was clear: we need universal background checks. We need the ability to prevent terrorists and the seriously mentally ill from getting easy access to deadly weapons. If you can't fly, you can't buy. These are steps that the vast majority of constituents, gun owners, and Americans all across the country agree are necessary.

In refusing to pass the most basic legislation, the Congress is complicit in this continued slaughter. The Speaker must do his job and let us vote so that we can do ours.

LEE MEMORIAL HEALTH SYSTEM CELEBRATES 100TH ANNIVERSARY

(Mr. CLAWSON of Florida asked and was given permission to address the House for 1 minute.)

Mr. CLAWSON of Florida. Mr. Speaker, Lee Memorial Hospital recognized 100 years ago that Lee County needed a quality healthcare provider, so it opened its doors at that time to a 15-bed hospital back on October 3, 1916. That small hospital has now grown into a world-class premier healthcare system in southwest Florida providing top quality care throughout the area.

Lee Memorial today has a team of over 15,000 highly qualified and skilled staff members and volunteers making it one of our largest organizations in southwest Florida.

I want to thank the Lee Memorial team, and particularly those who took care of my mom during her final days. When loved ones are sick, what we really want is for those that take care of them to show love. For that, I express appreciation to the Lee Memorial folks. Numerous times Lee Memorial has been recognized with national and State awards for outstanding performance.

My constituents and I are blessed and grateful for the staff members, physicians, and volunteers who work at Lee Memorial. I am certain that they will continue to provide top quality care for 100 more years and beyond.

On another personal note, I want to express my big thank-you to Jim Nathan, president of the system, for his leadership and for his selfless service to our community for so long.

Jim, I don't know what we would do without you.

Mr. Speaker, it is with great honor that I recognize Lee Memorial Health System for its commitment to southwest Florida as it celebrates 100 years.

RECOGNIZING CALIFORNIA STATE UNIVERSITY—FRESNO

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to recognize my alma mater, California State University at Fresno.

Fresno State recently was ranked number 25 this year on Washington Monthly's Top 30 Universities listed in America and yesterday earned the number one spot for graduation rate performance from U.S. News & World Report. This is indeed good news.

To use President Joseph Castro's words, the school secured places on these lists by "being bold." From conducting drought research to encouraging community service, offering Ph.D.'s, they have done an outstanding job of integrating campus life and student research to benefit the people of our valley, our State, and our Nation.

Additionally, nearly 70 percent of Fresno State's 25,000 students are the first in their family to attend a 4-year university.

President Castro and his staff have made it their mission to ensure that all valley students in the San Joaquin Valley of California have access to high quality, affordable university education.

As a proud Bulldog, it is an honor to congratulate Fresno State on these very well-deserved national recognitions. I thank the student body and the faculty for being bold and making a difference in our community, State, and Nation. As the red wave likes to chant: Go dogs.

DEPARTMENT OF LABOR'S OVERTIME RULE

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, recently, President Obama's activist Department of Labor released its final rulemaking to revise overtime regulations. This rule doubles the overtime salary threshold to just over \$47,000 virtually overnight when it goes into effect on December 1.

Many Americans will soon realize they have fewer job prospects, less flexibility in the workplace, and less opportunity to move up the economic ladder. Those who least can afford it will be hit the hardest—small businesses, nonprofits, and educational institutions.

Augusta University, the second largest employer in my district, is just one example of the many organizations that is affected by this ill-advised rule. The school just announced it will have to switch about 800 employees from salary to hourly wages to comply with this new mandate resulting in a partial paycheck for them during this transition.

A university administrator stated that keeping the employees salaried is not an option and, while tearing up, said this move will be tough for the employees and their families. Even one employee went so far as to say: It is going to kill us.

We need to get the government out of the way to let Americans do what they do best—innovate, flourish, and create jobs for generations to come.

RECOGNIZING CHESSY PROUT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize Chessy Prout, a courageous young woman who has shown tremendous bravery and resolve in the wake of a tragic and disturbing act that no one should ever have to face.

Chessy was sexually assaulted by an upperclassman at her boarding school when she was just 15 years old. Just last month, after lengthy and traumatic legal proceedings, Chessy came forward on national television to reclaim her identity and take back what was stolen from her. Chessy's willingness to publicly share her story will let other survivors know that they, too, can come out of the shadows and that they are not alone.

Speaking out against this painful ordeal Chessy went through took a huge amount of strength and courage. Like so many people, I am inspired by her actions, and I hope that they empower other survivors to come forward.

Sadly, Chessy's ordeal is not unique. One out of every six American women have been victims of sexual assault. While our country has made progress on this issue, survivors of sexual assault continue to face far too many obstacles in their pursuit of justice.

That is why I have cosponsored the Survivors' Bill of Rights Act, legislation that would codify important basic rights for sexual assault survivors. The House and Senate have passed this bill, and I urge the President to sign it into law.

Thanks to the courage of people like Chessy Prout, we have taken important steps to change the culture around sexual assault, and I know that together we can build on our progress.

HONORING INVALUABLE CONTRIBUTIONS OF ROXCY BOLTON

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Roxcy Bolton, a true pioneer who, at the age of 90, is hailed as a champion of women's rights, as well she should be. It is because of Roxcy's efforts that our Nation gathers each year to celebrate Women's Equality Day.

As a brave and outspoken woman, Roxcy made waves on many issues, in-

cluding the creation of the first rape treatment center in the country located at Jackson Memorial Hospital in Miami. This was at a time when people didn't even want to talk about rape. Roxcy also organized Florida's first crime watch to help curb crime against women.

Roxcy was in the front lines fighting on behalf of abused women and created the first women's rescue shelter in our State to provide services to women in crisis.

It was because of Roxcy's leadership that residents and visitors in south Florida can learn about the many contributions of women through the creation of The Women's Park of Miami-Dade County, which was correctly renamed after Roxcy Bolton.

Roxcy's vision will live on forever. She is an honored constituent, a voice of hope for all women, and I am proud to call her a friend.

GUN SAFETY LEGISLATION

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, a sit-in on the House floor should not be necessary to get a vote on gun safety legislation overwhelmingly supported by the American people. That is what I had to do as a kid in the civil rights movement.

Why would I be driven and why would Democrats have to be driven to do that in this House?

Closing the loophole after Charleston and Orlando has become a virtual mandate. Orlando probably accounted for my success in keeping dangerous bills from coming to the floor this session to erase three D.C. gun laws that protect residents, Federal officials, and 20 million visitors alike.

Congress, close the loophole. Do your job.

RECOGNIZING CONTRIBUTIONS OF HAPPY VALLEY LAUNCHBOX

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, small businesses are, and have always been, a key to the economic success of our Nation. With that in mind, I want to recognize the importance of the Happy Valley LaunchBox, which was introduced last year as part of the Invent Penn State initiative.

As an alumni and longtime friend of the university, I am proud to consistently celebrate the unique accomplishments of the leadership, faculty, staff, and student body at Penn State.

Additionally, in my role as a senior member of the House Committee on Education and the Workforce, I often have the opportunity to highlight the importance of cutting-edge concepts—such as the Invent Penn State initiative—in strengthening the overall economy of our Nation.

The Happy Valley LaunchBox is a place where entrepreneurs from the community as well as Penn State faculty, students, and staff can work to commercialize their innovative business concepts.

Last month I had the chance to meet with university officials and those, including students, who have been able to get their small businesses off the ground thanks to this initiative.

I know that I join those from the university and the Centre County region in wishing the LaunchBox the best of success in the future.

GUN SAFETY LEGISLATION

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise today to join my colleagues in, again, calling for this Congress to just simply call a vote on commonsense, lifesaving gun safety legislation. It has been almost 3 months since House Democrats have taken to the floor to call for a vote, and the statistics indicate that this Congress' inaction has been complicit in thousands of lost lives.

Mr. Speaker, gun violence continues to claim the lives of too many young people in this country. Sadly, it appears that every time I take to this podium to speak out against this Congress' inaction, there is another life lost to gun violence in my home district.

As a nonvoting Delegate of Congress, I may not have a vote on the floor, but I have a voice; and I want to use that voice in joining the American public and my constituents in the Virgin Islands in saying enough is enough.

As the mother of four young Black men, I hold my breath every time my sons go out to go about constructive daily life. Statistically, my sons are in the sight of being the victims of gun violence. Twice last week, one of my sons was within blocks and minutes of others in my community being shot—people doing their job.

While we were in recess, my own former scheduler lost her husband, a fireman on his job, to gun violence in our community. Dorene, the prayers of all of us are with you and your family.

Every day this Congress fails to act, more American families mourn, more American lives are cut short, and more American cities continue to mount homicide and shooting statistics. We can ensure responsible gun ownership while closing loopholes that allow terrorists and criminals to get their hands on dangerous weapons.

I am urging—urging—my colleagues across the aisle to bring commonsense gun safety legislation to a vote.

□ 1245

COMMEMORATING DR. PREM PAUL

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute.)

Mr. FORTENBERRY. Mr. Speaker, I rise today to commemorate the life and accomplishments of my friend, Dr. Prem Paul, vice chancellor at the University of Nebraska, who recently died.

Prem was an extraordinary person with an inviting personality and tireless enthusiasm. I recall seeing Prem at a speech in 2001 when I was finishing up my own work on the Lincoln City Council, and it was clear then that his vision was solid for the university. It was so different and so refreshing.

Dr. Paul established a culture of excellence at our university, and he went on to establish the Nebraska Center for Energy Science Research, as well as the Center for Brain, Biology and Behavior, and the Social Sciences Behavioral Research Consortium.

Prem is survived by his wife, Missi; daughter, Neena; son, Ryan; and granddaughter, Ashland, of whom Prem was very, very proud. It was a privilege to know Dr. Prem Paul. It was a privilege to work with him. It was a privilege, most importantly, to call him my friend.

Well done, my friend, well done.

LISTEN TO THE MILLENNIALS

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise today on the Gun Violence Prevention Day of Action to highlight the voices of my district's young people.

Nearly one-third of my constituents are millennials. These young people are smart, they are active, and they are very optimistic about their future.

This summer I asked them a simple question: What is the most important issue Congress should be working on? Despite all of the challenges facing young people, from mounting student debt to growing income inequality, their answer was clear: Do something about gun violence.

For young people, gun violence is a harsh reality. They have seen it, they have lived it, and they have lost friends and family to it.

Since 2013, there have been 192 school shootings, including one at Hillside Elementary School in my district. Schools are supposed to be places of learning, not war zones.

More than 80 percent of young people, including 83 percent of young Republicans, support commonsense background checks for all gun sales. This one commonsense solution to help prevent gun violence is what we need to do. We need to do our job and pass this legislation today.

Mr. Speaker, it is time that we start listening to these young people. Let's ensure a background check for every gun sale and help stop this senseless violence.

GUN VIOLENCE

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, on June 22, along with many of my colleagues, I sat on this floor right here with my Democratic colleagues demanding that Speaker RYAN give us a vote on commonsense gun violence prevention legislation.

In July, I again joined my colleagues on this floor holding up photos of Americans lost to gun violence, and again Speaker RYAN failed to give us a vote. Instead, he and the rest of the House Republicans left town for the longest recess in decades.

During the recess, 2,015 people died from gun violence—76 people in Chicago alone, my hometown. That is the worst month for gun violence in Chicago since 1997.

We have called for solutions like comprehensive background checks that have overwhelming public support. But 2 months later, House Republicans still refuse to bring these measures to a vote.

Each day that we fail to act, more families lose loved ones to gun violence. So I come to the floor again today, and I will come back as often as it takes, until Congress finally steps up to stop gun violence.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. PALMER) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 14, 2016 at 9:45 a.m.:

That the Senate agreed to without amendment H. Con. Res. 131.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5351, PROHIBITING THE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND PROVIDING FOR CONSIDERATION OF H.R. 5226, REGULATORY INTEGRITY ACT OF 2016

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 863 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 863

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. All points of order against consideration of the bill are waived. The amendment

printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-63. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 863 allows for consideration of two pieces of legislation.

First, H.R. 5226, the Regulatory Integrity Act, would require the publication of information relating to proposed and pending agency regulations. Already, in this year alone, the Obama administration has imposed \$63 billion in new regulatory costs and has proposed an additional \$16 billion.

When I tour small businesses back in southwest Alabama, the top complaint I hear is that they are drowning in red tape and regulations. They are forced to take time and resources away from running their business and instead focus them on complying with government bureaucracy. Regulations don't just hurt businesses. They in turn cause prices to increase on goods and services, which is felt by American families all across the United States.

This bill is about transparency and open government. It simply requires Federal agencies to post, in a central unified location, information regarding regulatory actions. Americans shouldn't have to search Web site after Web site looking for this information, if they can even find it at all.

The bill also would prevent agencies from actively lobbying or campaigning in support of any proposed rules. This has been an issue in the past, and it is simply not the role of a Federal agency to act as a lobbyist or an activist.

Mr. Speaker, I find it hard to believe that anyone will disagree with making the government more open, transparent, and accessible. I hope this legislation passes with broad, bipartisan support.

The other bill covered under this rule is very important as it relates to our Nation's national security. H.R. 5351 will prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. This bill would prevent any of the 61 prisoners remaining at Guantanamo Bay from being brought to the United States or transferred to a foreign country.

President Obama's pledge to close Guantanamo Bay started as a campaign promise in 2007. After his election, he signed an executive order declaring that the prison would be closed in 1 year. Thanks to bipartisan opposition by Congress and resistance by intelligence agencies, these efforts have so far proved unsuccessful.

President Obama originally planned to bring the prisoners to a new facility here in the United States. Not surprisingly, no State wanted to be the one selected to house terrorists. Members of this body from both sides of the aisle were up in arms.

Since that plan failed, President Obama has been releasing these terror-

ists to foreign countries, most of which are located in the Middle East. So here we are in the waning days of the Obama administration, and I fear that the President may try a new trick to close the prison. In fact, on August 15, President Obama released 15 Guantanamo detainees at once. That is the most detainees he has released at one time during his entire Presidency.

I think it is also important to remember that most of the remaining prisoners are very dangerous. Yesterday, in testimony before the Rules Committee, the ranking member of the Armed Services Committee, Mr. SMITH, testified that 41 of the remaining detainees are "considered to be so dangerous as to be untransferable." So this legislation is necessary and is required in order to keep the American people and our allies around the world safe.

One of the main goals of Guantanamo Bay is to keep these terrorists from returning to the battlefield. Sadly, it has become clear that some of the detainees released have returned to the fight against the United States.

Information on the status of released detainees is hard to come by. The White House has released very few details and hidden almost all of the information out of the eye of the American people by placing it under extreme classification requirements. But in testimony before Congress, an Obama administration official admitted that at least 12 individuals released from Guantanamo Bay have gone on to launch attacks and kill Americans—12 individuals released from Guantanamo Bay have gone on to launch attacks and kill Americans.

□ 1300

During testimony before the House Foreign Affairs Committee, the official testified that, "What I can tell you is unfortunately, there have been Americans that have died because of Gitmo prisoners."

Reports have indicated that it was a former Guantanamo detainee who helped organize and plan the attack on the U.S. diplomatic compound in Benghazi, Libya. Let's not forget that four Americans lost their lives during that attack.

I want to point out that this problem isn't new under the Obama administration. In fact, reports show that 111 of the prisoners released by former President George W. Bush returned to terrorist activities.

And let's be clear, any life lost at the hands of a former Guantanamo detainee is one life too many. These are deaths that are preventable, if we just keep these terrorists locked up.

Mr. Speaker, we ask our servicemembers to put their lives on the line each day and every day in order to keep the American people safe. How can we ask them to do that while knowing that we are releasing cruel, brutal terrorists back to the battlefield? It is reprehensible.

These releases and efforts to close the prison must stop. It is a shame that congressional action is even needed, but that is the reality of the situation.

And let's not forget, the individuals still left in Guantanamo are the worst of the worst. The Pentagon told Senator KELLY AYOTTE that 93 percent of the detainees left at Guantanamo were "high risk" for returning to terrorist activities.

Here is a quick snapshot of the remaining terrorists: Many of them fought on the front lines against U.S. coalition forces in Afghanistan. Some of them served as bodyguards for Osama bin Laden and worked as instructors at al Qaeda training camps. One person is well versed in explosives and served in an al Qaeda improvised explosive device cell that targeted coalition forces in Afghanistan. When captured, he had 23 antitank land mines.

These are just a few examples of the people we are talking about here. We aren't talking about low-level operatives. These are really bad guys.

So I fear this President may once again put politics above national security. I fear he is more concerned about keeping a campaign promise than he is about keeping the American people—especially our servicemembers fighting in the Middle East—safe.

Ultimately, if we don't keep them in Guantanamo, where exactly do you want these terrorists to go? Do you want them to be transferred into the United States? I would ask my colleague on the other side of the aisle: Would he want them in his home State of Massachusetts? Or do you want us to send them back to the Middle East, where we can't control what actions they take and where many of them are returning to terrorist activity?

To me and a majority of Americans, the choice is clear: We need to keep these terrorists in Guantanamo Bay where they can do no more harm.

Mr. Speaker, I urge my colleagues to support House Resolution 863 so we can move forward with consideration of these two very important bills.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to this rule and to the underlying legislation.

We are only scheduled to be in session for two more weeks before leaving until after the November election. And instead of considering legislation to adequately respond to the Zika crisis or address the water crisis in Flint, Michigan, or deal with the terrible gun violence plaguing our communities, we are back on the floor with more Republican messaging bills that are going nowhere.

On these pressing matters, where is the leadership from Speaker RYAN and

the Republican Conference? How can this Congress further delay action on these issues that are so important to the health and the safety of the American people?

The rule before us today provides for consideration of two deeply flawed pieces of legislation. The first, H.R. 5226, imposes overly burdensome requirements designed solely to hamstring the Federal rulemaking process. The second, H.R. 5351, prohibits the transfer of any individual detained at the prison at the U.S. Naval Station, Guantanamo Bay, Cuba. Until January 21, H.R. 5351 would prohibit the transfer of any detainee held at Guantanamo not just to the United States but also to any foreign country.

The Republican leadership could have chosen to use these final months to work constructively with the administration on how to transfer to other countries the approximately 20 remaining detainees who have been cleared for transfer. The Republican leadership could have chosen to help build a consensus around the timeframe for transferring to maximum security facilities in the United States the remaining detainees who have been charged with crimes or deemed too dangerous to release.

Instead, they chose to bring this bill to the House floor and close down any and all reasonable avenues to safely and securely reduce the population at Guantanamo. Mr. Speaker, this is simply crazy.

Continuing the operation of Guantanamo prison is a threat to our national security of our own making. It damages our relations with key allies and partners. It provides a rallying cry to violent extremists. And it undermines our moral authority and credibility in ways large and small across all aspects of our foreign policy and military policy.

Since it opened in 2002, the prison at Guantanamo has cost the American taxpayer \$4.8 billion. In 2013, U.S. taxpayers spent \$454 million on this prison, which now holds just 61 detainees. That is about \$7.4 million for each prisoner, compared to around \$70,000 for a prisoner held in solitary confinement in a maximum security prison here in the United States.

Mr. Speaker, the Oklahoma City bomber was tried and imprisoned in the United States. The World Trade Center bomber was tried and imprisoned in the United States. The Boston Marathon bomber was tried and imprisoned in the United States. Serial killers, psychopaths, terrorists, saboteurs—they have all been in custody, tried, and imprisoned safely and securely in the United States and, I would add, far more successfully than any trial or tribunal held at Guantanamo and at a much smaller taxpayer expense. Why not the remaining detainees at Guantanamo?

There should be a way for both parties to work this out. If only the leaders of this Congress were willing to work with this administration and be

committed to finding a way to shut down Guantanamo once and for all. But instead, we are here today throwing up yet another set of roadblocks.

Eight years ago, Presidential candidates JOHN MCCAIN and Barack Obama agreed on one issue: it was time to shut down the prison at Guantanamo Bay, Cuba. Former President George W. Bush believes we should shut it down.

I have a letter dated yesterday and addressed to all Members of Congress from Marine Corps Major General Michael P. Lehnert, the very first commander of the detention facility at Guantanamo, asking us to oppose this bill and to close Guantanamo.

I have another letter here, dated March 1, from retired generals and admirals who also advocate for the closure of our prison at Guantanamo.

Mr. Speaker, the failure to close Guantanamo is a stain on Congress. It is Congress that has hindered efforts to release detainees cleared for transfer to third-party countries. It is Congress that has barred the Pentagon from moving those who must remain in prison to maximum security facilities here in the United States. It is Congress that has undermined America's standing as a champion for human rights.

Mr. Speaker, this bill is going nowhere. It certainly will never be signed into law. It is a waste of time that could be better spent on addressing the crisis of clean water in Flint, Michigan, granting real money to deal with the national opiate crisis and the spread of the Zika virus in the United States, and responding to the crisis of gun violence in our cities and communities across America.

Mr. Speaker, in June, when 49 innocent people were ruthlessly killed in an LGBT nightclub in Orlando, Americans across the country were heartbroken and looked to their leaders for action. Surely in the face of such tragedy, House Republicans would put partisan politics aside. Surely both parties could come together to pass bipartisan legislation to reduce gun violence by keeping guns out of the wrong hands.

House Democrats tried repeatedly to bring up bipartisan gun reform legislation that the overwhelming majority of the American people support. The bills would expand background checks and stop anyone on the FBI's terrorist watch list from buying a gun. What could be more common sense than that?

All we wanted was to debate the legislation and have a fair up-or-down vote, but Republicans continued to put up roadblocks and refused to even let us consider these bills. So House Democrats held a 25-hour sit-in on the House floor, raising the voices of millions of Americans who are sick and tired of seeing their families and neighbors gunned down in communities all across the country while Congress does absolutely nothing.

Instead, Speaker RYAN and House Republicans abruptly shut Congress down

for summer recess, the longest in modern era. While House Republicans were on summer vacation, more than 2,300 Americans were killed by guns.

Now Congress is back, and, instead of doing the right thing and finally bringing bipartisan gun reform legislation to the floor, we hear through the press that Speaker RYAN and House Republicans are looking at ways to punish Democrats for our sit-in demanding action to reduce gun violence.

Really? Congress is only scheduled to be in session for 2 weeks until we recess again, and this is one of the Republican priorities?

We need real leadership, not more finger wagging. I urge my colleagues on the other side of the aisle to ask themselves: Is this really what your constituents want? Is this what they send you to Congress to do?

And let me be clear, and let me be crystal clear. If Republicans think that we will be intimidated or silenced by any legislation that they bring to the floor to slap us on the wrist simply for asking Congress to do its job, they are wrong.

The fact that Republicans are appalled by our demand to debate and the fact that they are appalled by our demand that there be a debate and a vote on gun safety legislation I find outrageous.

My question is: Why aren't my Republican friends appalled by the massacres in Orlando and San Bernardino and Aurora and Newtown and Charleston—and I could go on and on and on and on. Why are they not appalled by the gun deaths that happen each and every day in these United States of America? All we get from them is nothing. All we get from them is silence and indifference and apathy and, oh, legislation to condemn Democrats for wanting to do something. It is sad, and it is pathetic, Mr. Speaker.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question; and if we defeat the previous question, I will offer an amendment to the rule to bring up the bipartisan no fly, no buy legislation that would allow the Attorney General to bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

Mr. Speaker, the time to act is now. There were more than 2,000 gun-related deaths during this summer alone while we were on recess. This country cannot tolerate Republican intransigence any longer. Mr. Speaker, we are asking and we are demanding that the Republican leadership and this House do its job.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from the State of Washington (Mr. NEWHOUSE), my colleague from the Rules Committee.

Mr. NEWHOUSE. I would like to thank the gentleman from Alabama for yielding.

Mr. Speaker, I rise today in support of the rule and the underlying legislation, H.R. 5226, the Regulatory Integrity Act. In recent years, a disturbing trend has emerged among Federal agencies. In a number of instances, Federal agencies have used taxpayer dollars to fund public communication campaigns attempting to lobby for agency regulations. Despite multiple Federal laws explicitly prohibiting this, agencies continue to ignore these laws and use taxpayer dollars to lobby on the very regulations their agencies are developing.

Several months ago, in my own home State of Washington, a campaign known as What's Upstream came to light. I would like to point your attention to this poster. Through this broad and unfair ad campaign, all farmers were demonized as careless polluters. What's Upstream used billboards, bus and radio ads, and a visually assaulting Web site depicting dead fish and polluted water to encourage private citizens to contact their State legislators and push for stricter regulations on farmers. It is also important to note that it has been discovered that these images were not even from the State of Washington.

□ 1315

As a lifelong farmer myself, who has seen firsthand the remarkable proactive steps farmers have taken to protect our resources, I was insulted by the blatant lies this campaign has spread about farmers. What is probably more insulting, though, can be seen by these pictures of the What's Upstream Web site. What's Upstream encouraged site visitors to send messages to "Washington State Senators whose votes we hope to influence." This is lobbying in the truest sense of the word. The real kicker is when you scroll down to the bottom of the page to see who it was funded by: "This message has been funded wholly or in part by the United States Environmental Protection Agency."

Now, just stop and think about that for just a second. Your hard-earned taxpayer dollars are being used by the EPA to lie about farmers and then to lobby State legislators to put in place stricter regulations against farmers. It is unconscionable, and it violates the law.

Earlier this year, I was proud to colead a letter with my friend from Nebraska, Congressman ASHFORD, to EPA Administrator McCarthy expressing outrage and demanding an investigation into this campaign. I was honored to have 145 House Members—fully one-third of the entire body—join us on that letter demanding accountability.

This campaign exposed us to a very real need for grant and lobbying reform, which H.R. 5226 takes a good first step in bringing. By requiring all executive agencies to disclose their public communications, it will help bring transparency to agency communications and ensures that these types of activities cannot hide or go unnoticed. While future steps may be necessary, I was proud to work with Congressman WALBERG to introduce this legislation, and I thank him for his leadership on this issue.

Our agricultural community and the American taxpayers deserve accountability, and I look forward to continuing to work for this bill's enactment.

Mr. McGOVERN. Mr. Speaker, so let me get this straight. In response to 49 people killed in Orlando, 14 in San Bernardino, 9 in Charleston, 27 mostly kids in Newtown, 12 in Aurora, 6 in Tucson, Arizona—and our former colleagues, Congressman Giffords and Congressman Ron Barber, were shot there—and 32 in Virginia Tech—I can go on and on and on.

So, in response to all of that, what my Republican friends are doing is bringing a bill to the floor, and we are talking about legislation that is going nowhere. The Senate is not going to take it up. And even if it did, the White House is going to veto it. That is the response.

That is where the frustration on this side of the aisle is, that there are real, meaningful things that we need to do in this Congress, including protect the American people from this epidemic of gun violence, and instead of bringing legislation to the floor to do that, instead of working with us, instead of holding hearings, we get press releases from the Republican Congressional Campaign Committee that are going nowhere. We are wasting our time. We are wasting the American taxpayers' money.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMPSON) for the purpose of a unanimous consent request.

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kenneth D. Whitaker, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The Chair would advise the minority manager that the customary 30 minutes of debate time that has been yielded to him is for debate purposes only.

As a result, the Chair must ask the majority manager if he would yield for this unanimous consent request.

Mr. BYRNE. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

The SPEAKER pro tempore. The gentleman from Alabama does not yield; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. HONDA) for the purpose of a unanimous consent request.

Mr. HONDA. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jeanette Hernandez, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. Once again, the gentleman from Massachusetts is reminded that the time yielded is for purposes of debate only. The gentleman from Alabama has not yielded for purposes of this unanimous consent request, and it, therefore, cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. CASTOR) for the purpose of a unanimous consent request.

Ms. CASTOR of Florida. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Martavious Carn, age 3, a Florida victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. Once again, the gentleman from Alabama has not yielded for this unanimous consent request. It cannot be entertained at this time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU) for the purpose of a unanimous consent request.

Ms. JUDY CHU of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Justin Lee Sifuentes, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request. It cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. NAPOLITANO) for the purpose of a unanimous consent request.

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jennie Lou Hawley, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request, so it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. HAHN) for the purpose of a unanimous consent request.

Ms. HAHN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, in honor of the memory of Jennie Marie Keener, a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request; so, therefore, it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY) for the purpose of a unanimous consent request.

Ms. ESTY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Fredrick Richardson of Bridgeport, Connecticut, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request, so it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. CAPP) for the purpose of a unanimous consent request.

Mrs. CAPP. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Lekeshia Moses, a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. ESHOO) for the purpose of a unanimous consent request.

Ms. ESHOO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan close-the-loop-hole-on-background checks legislation, to honor the memory of Jeffrey Adams, a victim of gun violence who never received a moment of action on the floor of this House.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Nevada (Ms. TITUS) for the purpose of a unanimous consent request.

Ms. TITUS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Megan, Liana, Mark Jr., and Willow Short, who never received a moment of action on this House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER) for the purpose of a unanimous consent request.

Ms. SPEIER. Mr. Speaker, I ask unanimous consent to take up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of a constituent, Teqnika Moultrie, a school bus driver who at age 30 was gunned down outside a doughnut shop, and never received a moment of action on the House floor on her behalf.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

As the Chair advised on January 15, 2014, and March 26, 2014, even though a unanimous consent request to consider a measure is not entertained, embellishments accompanying such requests constitute debate and will become an imposition on the time of the Member who yielded for that purpose.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. BROWNLEY) for the purpose of a unanimous consent request.

Ms. BROWNLEY of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Officer Michael Krol, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. SWALWELL) for the purpose of a unanimous consent request.

Mr. SWALWELL of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Miguel Angel Leon Bravo, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for the purpose of a unanimous consent request.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Jordan Ebner, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY) for the purpose of a unanimous consent request.

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kayana Armond, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. LEE) for the purpose of a unanimous consent request.

Ms. LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Lakeith Hurd, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Massachusetts (Ms. CLARK) for the purpose of a unanimous consent request.

Ms. CLARK of Massachusetts. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Aimee Kirst, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. CARTWRIGHT) for the purpose of a unanimous consent request.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of 41-year-old Officer Matthew Gerald, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE) for the purpose of a unanimous consent request.

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Christopher Jerome Smith, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for the purpose of a unanimous consent request.

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Rosemond Octavius, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. MEEKS) for the purpose of a unanimous consent request.

Mr. MEEKS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Tyreke Borel, who was 17 years old, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New York

(Ms. SLAUGHTER), the distinguished ranking member of the Rules Committee, for the purpose of a unanimous consent request.

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Bobbie Odneal, III, 23 years old, Cincinnati, Ohio, who died a victim of gun violence and never received a moment of action on the House floor.

□ 1330

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I would like at this time to yield to the gentlewoman from Connecticut (Ms. DELAURO) for the purpose of a unanimous consent request.

The SPEAKER pro tempore. The gentleman is advised that time will be deducted from the gentleman's time for the last unanimous consent request.

The gentlewoman from Connecticut is recognized.

Mr. MCGOVERN. Mr. Speaker, may I inquire why?

The SPEAKER pro tempore. As was advised earlier, embellishments constitute debate, and as such, the time will be deducted from the gentleman's time.

The gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Officer Montrell Jackson, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. CROWLEY) for the purpose of a unanimous consent request.

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Ana Solis, 46 years of age when she was a victim of gun violence, who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. FRANKEL) for the purpose of a unanimous consent request.

Ms. FRANKEL of Florida. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Donald Stoney Boatman, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr.

HUFFMAN) for the purpose of a unanimous consent request.

Mr. HUFFMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Alex Freeman, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Hampshire (Ms. KUSTER) for the purpose of a unanimous consent request.

Ms. KUSTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Paula Nino, age 20, of Houston, Texas, a tragic victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Colorado (Mr. PERLMUTTER) for the purpose of a unanimous consent request.

Mr. PERLMUTTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Sheree Barker, age 24, from Colorado Springs, Colorado, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) for the purpose of a unanimous consent request.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Chelsea and Justin Reed from Citronelle, Alabama, killed in their sleep, who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. LARSON) for the purpose of a unanimous consent request.

Mr. LARSON of Connecticut. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Daquarius Tucker, who was a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for the purpose of a unanimous consent request.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, in honor of the memory of Lisa Ann Fabbri, 38 years old, a victim of gun violence who never received a moment of action on the floor of the United States Congress.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I am proud to yield to the distinguished gentleman from Georgia (Mr. LEWIS), a leader on issues of justice and non-violence, for the purpose of a unanimous consent request.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, in the memory of Billy Talley from Union, Mississippi, a victim of gun violence who never, ever received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I would like to yield to the gentlewoman from Alabama (Ms. SEWELL) for the purpose of a unanimous consent request.

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, in honor of Robert Lee Brown from Alabama, age 26, who was killed in his sleep by a friend of an abusive boyfriend, a victim of gun violence who never received a moment of silence on the floor of the House of Representatives.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

The time consumed by the gentlewoman from Alabama will be charged to the gentleman from Massachusetts' time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Oregon (Mr. BLUMENAUER) for the purpose of a unanimous consent request.

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of James "JJ" Hurtado, a victim of gun violence killed at age 14 in Hermiston, Oregon, by his mother's ex-boyfriend, who never received a moment of silence or moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Time consumed by the gentleman from Oregon will be deducted from the gentleman from Massachusetts' time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY) for the purpose of a unanimous consent request.

Ms. ESTY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the

expanded background checks legislation, in honor of Anna Bui, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for the purpose of a unanimous consent request.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Corey Bishop, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from Rhode Island (Mr. CICILLINE) for the purpose of a unanimous consent request.

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kiesha Betton, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentlewoman from California (Mrs. DAVIS) for the purpose of a unanimous consent request.

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Abner B. Garcia, age 23, an Army veteran who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentlewoman from Texas (Ms. JACKSON LEE) for the purpose of a unanimous consent request.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Charles Jackson, age 28, Houston Texas, killed on the Fourth of July and a father of 3, a victim of gun violence who never received a moment of silence or action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

The gentleman from Massachusetts is advised that the time consumed by the gentlewoman from Texas will be charged to the time of the gentleman.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON) for the purpose of a unanimous consent request.

Mr. ELLISON. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Mary Matzke and Birdell Beeks, victims of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from California (Mr. THOMPSON) for the purpose of a unanimous consent request.

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of John Comer, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jennifer Rooney, age 44 from Bristol, Virginia, who was shot by a stray bullet while driving. She is a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained, and the gentleman's time will be charged.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I mean, I don't know what it is going to take to compel my Republican colleagues to do something, to do more than just have a moment of silence in the aftermath of every massacre. I mean, these are real people. They had families. They were loved, and now they are gone, and we need to do something.

For the life of me, I can't understand the inaction in this House, the silence and the indifference. It is appalling. I would suggest to my colleagues, rather than trying to bring legislation to the floor to slap us on the wrist for having the audacity to come to the floor and demand that this House of Representatives do its job, my Republican friends ought to do their job and bring these bills to the floor.

Let's have a debate and let's have a vote, and let's try to save some lives. This is real. This is meaningful. It is a heck of a lot more important than the message bills that are going nowhere that are being brought to this floor.

I urge my colleagues to vote to defeat the previous question so we can have a vote on the no fly, no buy legislation, and I plead with my Republican colleagues: Do your job. Do something. Enough of this silence. Enough of this indifference. Too many people in this country are dying.

I yield back the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself the balance of my time.

Let's see, where were we? We were talking about a rule that covers two bills. One bill would stop Federal departments and agencies from using their money to spread falsehoods against innocent Americans. The gentleman from Washington gave a very good, very clear statement of a precise fact situation that happened in the State of Washington where a Federal agency was using its money to spread falsehoods about farmers. That is what we were talking about. And I think that is a very important piece of legislation for us to deal with and deal with right now.

And the other piece of legislation, the other piece of legislation would protect the people of the United States from a President who wants to let very dangerous people out of Guantanamo Bay. As I said before, at least 12 individuals who have already been released from Guantanamo Bay have gone on to launch attacks and kill Americans. That is what we were talking about. That is what we are talking about. That is what this rule and the underlying legislation is all about.

This House is here to do its work and do its job to defend the people of the United States and also to protect the people of the United States from their own government preying on them. So I think this legislation is completely appropriate. I am glad to bring this rule before the House.

I, again, urge my colleagues to support House Resolution 863 and the underlying bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 863 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 863 will be followed by 5-minute votes on adopting House Resolution 863, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 232, noes 172, not voting 27, as follows:

[Roll No. 505]

AYES—232

Abraham	Goodlatte	Messer
Aderholt	Gosar	Mica
Allen	Gowdy	Miller (FL)
Amash	Graves (GA)	Miller (MI)
Amodel	Graves (LA)	Moolenaar
Babin	Graves (MO)	Mooney (WV)
Barr	Griffith	Mullin
Barton	Grothman	Mulvaney
Benishek	Guthrie	Neugebauer
Billirakis	Hanna	Newhouse
Bishop (MI)	Hardy	Noem
Black	Harper	Nugent
Blackburn	Harris	Nunes
Blum	Hartzler	Olson
Bost	Heck (NV)	Palmer
Boustany	Hensarling	Paulsen
Brat	Herrera Beutler	Pearce
Bridenstine	Hice, Jody B.	Perry
Brooks (AL)	Hill	Peterson
Brooks (IN)	Holding	Pittenger
Buchanan	Hudson	Pitts
Buck	Huelskamp	Poe (TX)
Bucshon	Huizenga (MI)	Poliquin
Burgess	Hultgren	Pompeo
Byrne	Hunter	Posey
Calvert	Hurd (TX)	Price, Tom
Carter (GA)	Hurt (VA)	Ratcliffe
Carter (TX)	Issa	Reed
Chabot	Jenkins (KS)	Reichert
Chaffetz	Jenkins (WV)	Renacci
Clawson (FL)	Johnson (OH)	Ribble
Coffman	Jolly	Rice (SC)
Cole	Jones	Rigell
Collins (GA)	Jordan	Roby
Collins (NY)	Joyce	Roe (TN)
Comstock	Katko	Rogers (AL)
Conaway	Kelly (MS)	Rogers (KY)
Cook	Kelly (PA)	Rohrabacher
Costello (PA)	King (IA)	Rokita
Cramer	King (NY)	Rooney (FL)
Crenshaw	Kinzinger (IL)	Ros-Lehtinen
Culberson	Kline	Roskam
Curbelo (FL)	Knight	Ross
Davidson	Labrador	Rothfus
Davis, Rodney	LaMalfa	Rouzer
Denham	Lamborn	Royce
Dent	Lance	Russell
DeSantis	Latta	Salmon
Diaz-Balart	LoBiondo	Sanford
Dold	Long	Scalise
Donovan	Loudermilk	Schweikert
Duffy	Love	Scott, Austin
Duncan (SC)	Lucas	Sensenbrenner
Duncan (TN)	Luetkemeyer	Sessions
Ellmers (NC)	Lummis	Shimkus
Emmer (MN)	MacArthur	Shuster
Farenthold	Marchant	Simpson
Fitzpatrick	Marino	Smith (MO)
Fleischmann	Massie	Smith (NE)
Fleming	McCarthy	Smith (NJ)
Flores	McCaul	Smith (TX)
Forbes	McClintock	Stefanik
Fortenberry	McHenry	Stewart
Fox	McKinley	Stivers
Franks (AZ)	McMorris	Stutzman
Frelinghuysen	Rodgers	Thompson (PA)
Garrett	McSally	Thornberry
Gibbs	Meadows	Tiberi
Gibson	Meehan	Tipton

Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman

Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NOES—172

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr

NOT VOTING—27

Barletta
Bishop (GA)
Bishop (UT)
Brady (TX)
Crawford
DesJarlais
Deutch
Fincher
Gohmert

Granger
Guinta
Jeffries
Johnson, Sam
LaHood
Lofgren
McDermott
Murphy (PA)
Norcross

□ 1403

Mr. ENGEL changed his vote from “aye” to “no.”

Mr. DUNCAN of South Carolina changed his vote from “no” to “aye.” So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 505, I was unavoidably detained and missed the vote on the previous question. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 171, not voting 22, as follows:

[Roll No. 506]

AYES—238

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benish
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Hill
Holding
Hudson
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)

Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)

Young (IA)
Young (IN)

NOES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
Loebach
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)

Zeldin
Zinke
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascarelli
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—22

Barletta
DesJarlais
Deutch
Doyle, Michael
F.
Fincher
Granger
Guinta
McDermott

Jeffries
Johnson, Sam
Larson (CT)
Levin
Lofgren
Maloney, Carolyn
McDermott

Norcross
Palazzo
Payne
Rush
Schradner
Titus
Visclosky
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1410

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 506.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on

agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 145, answered “present” 2, not voting 32, as follows:

[Roll No. 507]

AYES—252

Abraham	Eshoo	McClintock
Aderholt	Esty	McCollum
Allen	Farenthold	McHenry
Babin	Farr	McMorris
Barr	Fleischmann	Rodgers
Barton	Forbes	McNerney
Beatty	Fortenberry	McSally
Becerra	Foster	Meadows
Bera	Frankel (FL)	Meehan
Bilirakis	Franks (AZ)	Meeks
Bishop (MI)	Frelinghuysen	Meng
Bishop (UT)	Garamendi	Messer
Black	Garrett	Mica
Blackburn	Gibbs	Miller (FL)
Blum	Goodlatte	Miller (MI)
Blumenauer	Gosar	Moolenaar
Bonamici	Gowdy	Mooney (WV)
Boustany	Graham	Moore
Brady (TX)	Grayson	Moulton
Brat	Griffith	Mullin
Bridenstine	Guthrie	Murphy (PA)
Brooks (AL)	Hahn	Napolitano
Brooks (IN)	Hardy	Neugebauer
Brown (FL)	Harper	Newhouse
Buchanan	Harris	Noem
Bustos	Hastings	Nugent
Butterfield	Heck (WA)	Nunes
Byrne	Hensarling	O'Rourke
Calvert	Higgins	Olson
Capps	Himes	Palmer
Carney	Hinojosa	Pascarella
Carter (TX)	Honda	Perlmutter
Castro (TX)	Huffman	Pingree
Chabot	Huizenga (MI)	Pocan
Chu, Judy	Hultgren	Polis
Ciilline	Hunter	Pompeo
Clark (MA)	Issa	Posey
Clawson (FL)	Johnson (GA)	Price (NC)
Clay	Jolly	Quigley
Cole	Kaptur	Rangel
Collins (NY)	Katko	Reichert
Comstock	Keating	Ribble
Conaway	Kelly (MS)	Rigell
Conyers	Kelly (PA)	Roby
Cook	Kennedy	Rogers (AL)
Cooper	Kildee	Rogers (KY)
Courtney	King (IA)	Rohrabacher
Cramer	King (NY)	Rokita
Crawford	Kline	Rooney (FL)
Crenshaw	Kuster	Roskam
Crowley	Labrador	Ross
Cuellar	LaMalfa	Rothfus
Culberson	Lamborn	Royce
Davidson	Langevin	Ruiz
Davis (CA)	Larsen (WA)	Ruppersberger
Davis, Danny	Latta	Russell
DeGette	Lipinski	Salmon
DeLauro	Long	Sanford
DelBene	Loudermilk	Scalise
Denham	Love	Schiff
Dent	Lowey	Schweikert
Diaz-Balart	Lucas	Scott (VA)
Dingell	Luetkemeyer	Scott, Austin
Doggett	Lujan Grisham	Scott, David
Donovan	(NM)	Sensenbrenner
Duckworth	Luján, Ben Ray	Serrano
Duffy	(NM)	Sessions
Duncan (SC)	Lummis	Sherman
Duncan (TN)	Maloney,	Shimkus
Edwards	Carolyn	Shuster
Ellmers (NC)	Massie	Simpson
Emmer (MN)	McCarthy	Sinema
Engel	McCauley	Slaughter

Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thornberry
Tiberi
Trott

Tsongas
Upton
Van Hollen
Wagner
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Webster (FL)
Wenstrup

Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yarmuth
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—145

Adams
Aguilar
Amash
Ashford
Bass
Benishak
Bishop (GA)
Bost
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Chaffetz
Clarke (NY)
Clyburn
Coffman
Cohen
Collins (GA)
Connolly
Costa
Costello (PA)
Cummings
Curbelo (FL)
Davis, Rodney
DeFazio
Delaney
DeSantis
DeSaulnier
Dold
Doyle, Michael
F.
Ellison
Fitzpatrick
Fleming
Flores
Foxy
Gibson
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al

Green, Gene
Grothman
Guinta
Gutiérrez
Hanna
Hartzler
Heck (NV)
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hoyer
Hudson
Huelskamp
Hurd (TX)
Israel
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Knight
LaHood
Lance
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
LoBiondo
Loebback
Lofgren
Lowenthal
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
McGovern
McKinley
Mulvaney
Murphy (FL)
Neal

Nolan
Pallone
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Price, Tom
Ratcliffe
Reed
Renacci
Rice (NY)
Richmond
Roe (TN)
Ros-Lehtinen
Rouzer
Roybal-Allard
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schrader
Sewell (AL)
Sires
Smith (MO)
Swalwell (CA)
Thompson (MS)
Thompson (PA)
Tipton
Torres
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Walberg
Walden
Watson Coleman
Weber (TX)
Wilson (FL)
Woodall
Yoder
Young (AK)

ANSWERED “PRESENT”—2

Rice (SC)

Tonko

NOT VOTING—32

Amodei
Barietta
Beyer
Cárdenas
Cleaver
DesJarlais
Deutsch
Fincher
Gabbard
Gallego
Gohmert

Granger
Grijalva
Hurt (VA)
Jeffries
Johnson, Sam
Kelly (IL)
Levin
Matsui
McDermott
Nadler
Norcross

Palazzo
Payne
Pelosi
Pitts
Rush
Schakowsky
Thompson (CA)
Titus
Visclosky
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1416

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WELCH. Mr. Speaker, I was unable to vote on rollcall 505, 506, and 507. I would have voted “no” on rollcall 505 and 506, and “aye” on rollcall 507 had I been there.

TERMINATION OF EMERGENCY WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-163)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report that I have issued an Executive Order that terminates the national emergency declared in Executive Order 13396 of February 7, 2006, and revokes that Executive Order.

The President issued Executive Order 13396 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Côte d'Ivoire, which had resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. In Executive Order 13396, the President addressed that threat by blocking the property and interests in property of, among others, persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, to be responsible for serious violations of international law in Côte d'Ivoire, or to have supplied arms to Côte d'Ivoire. Executive Order 13396 also implemented United States sanctions obligations under United Nations Security Council Resolution (UNSCR) 1572 and subsequent resolutions.

I have determined that the situation in or in relation to Côte d'Ivoire that gave rise to the national emergency declared in Executive Order 13396 has improved significantly as a result of the progress achieved in the stabilization of Côte d'Ivoire, including the successful conduct of the October 2015 presidential election, progress on the management of arms and related materiel, and the combating of illicit trafficking of natural resources. With these advancements, and with the United Nations Security Council's termination of sanctions obligations on April 28, 2016, in UNSCR 2283, there is no further need for the blocking of assets and other sanctions measures imposed by Executive Order 13396. For these reasons I have determined that it is necessary to terminate the national emergency declared in Executive Order 13396 and revoke that order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.
THE WHITE HOUSE, September 14, 2016.

ENDING THE SUSPENSION OF
PREFERENTIAL TREATMENT
FOR BURMA—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 114-164)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I am writing to inform you of my intent to end the suspension of preferential treatment for Burma as a beneficiary developing country under the Generalized System of Preferences (GSP) program, and to designate Burma as a least-developed beneficiary developing country for purposes of the GSP program. I have carefully considered the criteria set forth in sections 501 and 502(c) of the Trade Act of 1974, as amended (19 U.S.C. 2461, 2462(c)). After considering the criteria set forth in section 502(c), I have determined that it is appropriate to add Burma to the list of GSP beneficiary developing countries in the Harmonized Tariff Schedule (HTS) of the United States. After considering the criteria set forth in sections 501 and 502(c), I have determined that it is appropriate to add Burma to the list of GSP least-developed beneficiary developing countries in the HTS.

I submit this notice in accordance with section 502(f)(1) of the Trade Act of 1974 (19 U.S.C. 2462(f)(1)).

BARACK OBAMA.

THE WHITE HOUSE, September 14, 2016.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 3 p.m.

VA ACCOUNTABILITY FIRST AND
APPEALS MODERNIZATION ACT
OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 859 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5620.

Will the gentleman from Pennsylvania (Mr. ROTHFUS) kindly take the chair.

□ 1501

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. ROTHFUS (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, September 13, 2016, amendment No. 13 printed in House Report 114-742 offered by the gentleman from California (Mr. LOWENTHAL) had been disposed of.

AMENDMENT NO. 14 OFFERED BY MR. BEN RAY
LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114-742.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

**SEC. 11. IDENTIFICATION OF MATTERS RELATING
TO PART-TIME EMPLOYMENT OF
MEMBERS OF THE ARMED FORCES
WHO ARE PHYSICIANS.**

The Secretary of Veterans Affairs shall identify—

- (1) the number of members of the Armed Forces serving on active duty who are physicians employed at a Department of Veterans Affairs medical facility on a part-time basis;
- (2) the process by which the Department hires such physicians on a part-time basis; and
- (3) the process by which the Department hires civilian physicians on a part-time basis; and
- (4) the steps the Department is taking to recruit members of the Armed Forces serving on active duty who are physicians for employment at Department medical facilities on a part-time basis.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, my amendment directs the VA to produce a report related to the part-time employment of Active Duty military positions at VA health facilities.

In 2014, Congress passed the Veterans Choice Act to help address the access to care crisis facing our Nation's veterans. As part of those reforms, the legislation called for a Commission on Care to examine how best to strategically organize the Veterans Health Administration, locate healthcare resources, and deliver health care to veterans over the next 20 years. The report was released on July 15 of this year.

The report's very first recommendation highlights VHA's provider shortages and suggests the VHA should expand their provider networks. They specify: "These providers must be fully

credentialed with appropriate education, training, and experience, provide veterans access that meets VHA standards, demonstrate high-quality clinical and utilization outcomes, and demonstrate military cultural competency."

Recently, it came to my attention that Active Duty military physicians are confronting a number of hurdles when seeking part-time positions at our VA facilities and that these hurdles are preventing an entire group of physicians who exceed these standards from caring for our veterans.

The Department of Defense employs over 11,000 Active Duty military physicians. For many reasons, a number of these physicians choose to seek part-time employment in civilian hospitals. In fact, physician moonlighting is encouraged by the Department of Defense.

Yet, despite these military doctors exceeding all of the VA's employment standards, longstanding red tape seems to be preventing the VA from hiring them. At a time when VA facilities across the country are struggling to hire enough physicians, we cannot afford to turn away qualified doctors.

Recently, my office raised this issue with the Veterans Health Administration, and I appreciate the VHA's willingness to work with me on this issue. However, we need to get these facts on the record in order to continue the conversation and address this issue.

I would also like to thank Chairman MILLER for giving me the opportunity to raise this issue, and I look forward to working with my colleagues on both sides of the aisle to do what we can to help soldiers treat our vets.

While I greatly appreciate all physicians who choose to use their training, skills, and time to serve our Nation's veterans, there is no one more naturally equipped to care for our vets than our military physicians.

Mr. Chairman, I want to thank the chairman and the committee staff on both sides of the aisle for their work here.

At this time, I yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chair, I thank my colleague, Representative BEN RAY LUJÁN from New Mexico, for yielding.

I urge my colleagues to support this legislation to ensure our veterans are fully taken care of.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I yield myself such time as I may consume.

I do support this amendment. It does require a report on DOD physicians who are part-time VA employees, and

it is important to have an accurate accounting of how DOD clinicians are practicing at the VA on a part-time basis and how they are recruited.

So I want to thank Representative LUJÁN for bringing this valuable piece of legislation to the floor.

I urge my colleagues to support this amendment.

I yield back the balance of my time.
Mr. BEN RAY LUJÁN of New Mexico.
Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN of New Mexico).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from New York (Mr. SEAN PATRICK MALONEY), I offer amendment No. 15.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. EXTENSION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR THE CONDUCT OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101 note) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, as this body works to find ways to ensure that the VA is meeting the needs of the veteran community, we must ensure that we do not rob them of critical tools which have already helped the VA to address its claims backlog.

This amendment, based on Representative SEAN PATRICK MALONEY’s standalone legislation, the Disabled Veterans Red Tape Reduction Act, ensures that the VA has one more tool in its toolkit in order to meet its mission. It accomplishes this by allowing veterans to have their medical examinations done by physicians outside the VA system to help process veterans’ disability claims faster.

In the past, we have been able to work across party lines in order to keep in place this essential tool the VA needs to address the backlog. This important authority is due to expire at the end of the year; and without timely action from Congress, the VA would be even more overburdened.

This program works; that is why we need it. The fact that Congress would otherwise let this expire, when our VA system is already overburdened, is just unconscionable.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose it.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I thank the gentleman from California (Mr. TAKANO) for bringing this piece of legislation to the floor. It is something that we already have passed, but putting it in a couple of different places probably doesn’t hurt, so I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. TAKANO. Mr. Chair, at this time, I would like to use the remaining time I have on this amendment to make the following statement.

I would like to take a moment to recognize Chairman MILLER, who will be retiring at the end of this Congress.

I have only been acting ranking member for a couple of months, but I have enjoyed working with him as a member of the committee for the last 4 years. He is a dedicated public servant. He is charming and wily, and, with a smile, he can convince anyone across the table from him that his way is the right way, even though it is not.

I consider him a friend, but also a worthy adversary. Although we are at odds today on this underlying bill, I have enjoyed the bipartisan nature of the Veterans’ Affairs Committee. I think we set an example for the American people that Congress can come together and get things done.

With all this talk about Congresswoman DINA TITUS’ Appeals Modernization bill, I am reminded of another Titus bill. I worked with the chairman to include language in the Choice Act that increased the number of graduate medical education slots at the VA—1,500, to be exact. It was one of my proudest moments as a legislator, and I will look back fondly on the experience of working with Chairman MILLER. We did right by veterans, and we did right by the American people.

Mr. Chairman, I thank you for your service, and I wish you the best of luck with your retirement.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. O’ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114-742.

Mr. O’ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 11. RECRUITMENT OF PHYSICIANS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 7402(b)(1) of title 38, United States Code, is amended—

(1) by inserting “or to be offered a contingent appointment to such position,” after “position,”; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B)(i) have completed a residency program satisfactory to the Secretary; or

“(ii) with respect to an offer for a contingent appointment upon the completion of a post-graduate training program, complete such a residency program by not later than two years after the date of such offer; and”.

(b) OVERSIGHT OF GRADUATE MEDICAL EDUCATION PROGRAMS.—The Secretary shall—

(1) ensure that a recruiter or other similar official of each Veterans Integrated Service Network visits, not less than annually, each allopathic and osteopathic teaching institution with a graduate medical education program within the Network to recruit individuals to be appointed to positions in the Veterans Health Administration; and

(2) submit to Congress an annual report on the implementation of paragraph (1), including the success of such recruiting efforts.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O’ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O’ROURKE. Mr. Chairman, I rise today to speak on behalf of amendment No. 16, which will allow us to help the VA fulfill its responsibilities and truly be accountable to our veterans by hiring enough physicians and care providers so that we can meet the demands and the needs and the care that has been earned by these veterans.

Today, by the VA’s own admission, there are 43,000 authorized, funded, but unfilled positions in our community clinics and hospitals throughout the country. That means that veterans are waiting far too long and, in some cases, are not able to get in to receive that care that they have earned.

This amendment would allow the VA to begin doing what everyone else in modern medicine in America is doing today, and that is recruiting effectively from this country’s residency programs.

Today, the VA is prohibited from talking to residents until they have completely completed their residency. As we all know, by that point, most of those residents have selected an employer, and that employer is not the VA.

This brings us into line with every other Federal recruiting practice throughout the government and brings us in line with the private and other

public sector employers against whom we are competing.

I will note that this amendment is also sponsored by Ms. STEFANIK of New York. It enjoys bipartisan support.

I urge my colleagues to join me in supporting this.

Lastly, Mr. Chair, before I yield to my ranking member, I want to join Representative TAKANO in recognizing the incredible service of Chairman MILLER, who has really ensured that this is the most bipartisan committee in the Congress, and that bipartisanship is needed now more than ever. If we are going to fix a VA system and deliver the care that those veterans have earned, we are going to need everyone working together as closely as possible, and Chairman MILLER has done a lot of work toward that end. So I want to thank him for his service and for what he has done for this committee and for veterans throughout the country.

Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Texas has 2½ minutes remaining.

Mr. O'ROURKE. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. TAKANO), the ranking member.

Mr. TAKANO. Mr. Chairman, I fully support the gentleman's amendment, and I encourage my colleagues to do the same.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, I want to thank Mr. O'ROURKE, a valued member of our committee, and Ms. STEFANIK for bringing this timely piece of legislation to the floor in amendment form. I think it is very important.

As the VA tries to recruit new physicians to fill the 40,000-plus openings that they may have at any one time, it is important to be able to get the younger folks that are coming in so that they can be a part of the VA system and helping our veterans.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

□ 1515

AMENDMENT NO. 17 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114-742.

Mr. O'ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 11. AUTHORITY TO DISCLOSE CERTAIN MEDICAL RECORDS OF VETERANS WHO RECEIVE NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

Section 7332(b)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(H) To a non-Department entity (including private entities and other departments or agencies of the Federal Government) that provides hospital care or medical treatment to veterans.”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. I yield myself such time as I may consume.

Mr. Chairman, as we now know, we are 43,000 providers short within the VA, which means that there is an unmet need and demand from veterans in the communities that we serve and whom we represent. To be able to bridge this gap, we are going to have to more effectively leverage capacity for care in public and private institutions throughout this country. These are public hospitals, private hospitals, and public and private clinics.

There are different means of doing this right now, which the VA Secretary seeks to streamline into one program, and I support this; but in the meantime, while we are largely dependent on the Choice Program that this Congress passed not too long ago, we must ensure that the care for these veterans is coordinated in a seamless manner.

Part of the problem in doing that is that the medical records for veterans are not effectively traveling with them from the VA to their provider in the community, and, in fact, because of an antiquated interpretation of veterans' medical information records, veterans have to sign a waiver allowing the VA to share that information.

Now, no other provider of medical care in this country operates under those same standards. And today, it is estimated that fewer than 3 percent of veterans have affirmatively signed these release forms allowing their information to be effectively shared with the community providers so that provider can make informed medical decisions for that veteran's treatment.

Inclusion of this amendment in the final bill's passage will ensure that we bring the VA up to modern medical standards, where veterans will still be protected by HIPAA and privacy laws but will have their critical medical information effectively shared without fear of exposure of any of their private and identifiable information.

Mr. Chairman, I ask that the Congress support this amendment into inclusion in the final bill so that we can effectively leverage that care in the community.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Again, Mr. O'ROURKE has brought an outstanding addition to this important piece of legislation. It is critical for continuity and the provision of safe, quality health care to our veterans to allow them to be able to communicate back and forth without any impediments, so I appreciate Mr. O'ROURKE's hard work and, again, bringing this amendment to the floor. I urge my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114-742.

Mr. O'ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. SURVEY OF VETERAN EXPERIENCES WITH DEPARTMENT OF VETERANS AFFAIRS MEDICAL CARE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into a contract with a non-government entity with significant experience conducting scientifically verifiable surveys and research to conduct an annual survey of a statistically significant sample of veterans who reside in the geographic area served by each of the medical facilities of the Department of Veterans Affairs to determine the nature of the experiences of such veterans in obtaining hospital care and medical services furnished by the Secretary at each such medical facility. Each such survey shall be conducted using scientific and verifiable methods. Such contract shall provide that the non-government entity shall conduct such annual surveys during the five-year period beginning on the date on which the Secretary enters into the contract with the non-government entity.

(b) CONTENTS.—The contract entered into under subsection (a) shall provide that each survey conducted pursuant to the contract shall be specific to a medical facility of the Department and shall include questions relating to the experiences of veterans in requesting and receiving appointments for hospital care and medical services furnished by the Secretary at that medical facility, including questions relating to each of the following:

(1) The veteran's ability to obtain hospital care and medical services at the facility in a timely manner.

(2) The period of time between the date on which the veteran requests an appointment at the facility and the date on which the appointment is scheduled.

(3) The frequency with which scheduled appointments are cancelled by the facility.

(4) The quality of hospital care or medical services the veteran has received at the facility.

(c) CONSULTATION.—The contract entered into under subsection (a) shall provide that in designing and conducting the surveys for each medical facility of the Department pursuant to such contract, the non-government entity shall consult with veterans service organizations.

(d) CERTIFICATION.—The contract entered into under subsection (a) shall provide that—

(1) before conducting a survey pursuant to the contract, the non-government entity shall submit the proposed survey to the Comptroller General who shall assess whether the survey is scientifically valid and whether the proposed sample size of veterans to be surveyed is statistically significant; and

(2) the non-government entity may not conduct such a survey until the Comptroller General provides such a certification for the survey.

(e) SUBMITTAL OF RESULTS AND PUBLIC AVAILABILITY OF INFORMATION.—Not later than 30 days after the completion of the surveys conducted pursuant to a contract entered into under subsection (a) for a year, the Secretary shall make the results of the surveys publicly available on the Internet website of the Department.

(f) PAPERWORK REDUCTION.—Subchapter I of chapter 35 of title 44, United States Code shall not apply to this section.

(g) DEADLINE FOR IMPLEMENTATION.—The Secretary shall enter into a contract under subsection (a) for each medical facility of the Department by not later than 180 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. I yield myself such time as I may consume.

Mr. Chairman, I rise today to speak on behalf of this amendment No. 18, which we are referring to as the Ask a Veteran amendment to the underlying bill.

This essentially builds on some of the pioneering work taking place in the community I have the privilege to represent in El Paso, Texas. Before the wait-time scandal broke in Phoenix, we were hearing alarming discrepancies between what the VA was telling us that a veteran was waiting in our community and what we were hearing at our townhalls from veterans themselves.

In order to try to resolve this issue, we conducted a scientific survey by an independent third-party with a margin of error under 4 percent to ask veterans from their own experience and in their own words what they had experienced in terms of care at the VA. We found that instead of meeting the 14-day standard then in place by the VA for access to care, veterans, on average, were waiting over 70 days to see a primary care physician and over 60 days to see a mental health care provider.

Most alarmingly, 37 percent of the veterans who were surveyed who

sought mental health care were not able to get an appointment in 14 days or 60 days or 1 year. They never got in at all. It is important that we remember that in the context of the VHA's recent admission that after a scientific survey of veterans in all 50 States, an average of 20 veterans a day are taking their lives in this country, and 14 of those 20 veterans who will take their lives today have not had a chance to see someone at the VA.

We have learned that we cannot depend on the VA to tell us how the VA is doing. We must ask veterans directly. This amendment will do just that. It will, in every community that we serve, ask the veterans themselves how long they are waiting, when they first requested care and when that was received, the continuity of that care, the quality of that care, and the customer service.

If we are to create a culture of accountability in the VA, as the chairman has said over and over again, and which I agree with wholeheartedly, we need to ask the veterans directly about their experience. We can no longer make the same mistake of trusting the VA to tell us how the VA is doing.

Mr. Chairman, I ask for this body's full support of this measure that will help us hold the VA in check, keep them accountable, and ensure that veterans always have a voice in oversight of this most important institution.

Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. TAKANO), the ranking member.

Mr. TAKANO. Mr. Chairman, I thank the gentleman from Texas for yielding me 30 seconds. Mr. Chairman, I fully support his amendment, and I encourage my colleagues to do the same.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Again, Mr. O'ROURKE has brought another good piece of legislation to the floor. In fact, this has previously passed the House in the 113th Congress. I think that veterans' voices must be heard, and we also must be careful how the questions are asked. We know how any survey or poll can be manipulated. It is very important that this is a trusted survey. I would urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from Minnesota (Mr. WALZ), I offer amendment No. 19.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) VETERAN STATUS.—

(1) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

“§ 107A. Honoring as veterans certain persons who performed service in the reserve components

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components.”

(b) CLARIFICATION REGARDING BENEFITS.—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise in support of the amendment, which would provide deserved recognition for the National Guard and Reserve retirees.

The National Guard and Reserve component retirees who have served less than 180 straight days of Active Duty are not able to call themselves veterans due to the legal definition. This is despite their 20 years of service to their State and their Nation and despite their service in emergencies like floods, fires, and other natural disasters.

The amendment allows these National Guard and Reserve retirees to say “I am a veteran,” the ability to get a license plate showing their veteran status and to go to the store and buy a hat that says “Proud Veteran” without feeling guilty. It is simply a way to honor the men and women who have served in and retired from our National Guard and Reserve forces. It has no cost, and it already passed the House last by a vote of 407-0. I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, even though I do not oppose it.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, this is an important piece of legislation to many. It would give the ability for those who have served in the National Guard or Reserve for 20 years selflessly to be able to call themselves a veteran. It has already passed the House, as my colleague has already brought to our attention, back in February.

Representative WALZ is steadfast in his support of the National Guard and Reserve and all those who have worn the uniform of this Nation. I think it is very fitting that it be a part of this legislation today. I urge its passage.

Mr. Chairman, I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, I have no further speakers, and I urge all my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from Minnesota (Mr. WALZ), I offer amendment No. 20.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. PROVISION OF REHABILITATIVE EQUIPMENT AND HUMAN-POWERED VEHICLES TO CERTAIN DISABLED VETERANS.

(a) IN GENERAL.—Section 1714(a) of title 38, United States Code, is amended—

(1) by striking “Any veteran” and inserting “(1) Any veteran”; and

(2) by adding at the end the following new paragraph:

“(2)(A) The Secretary may furnish rehabilitative equipment to any veteran who is entitled to a prosthetic appliance.

“(B) In carrying out subparagraph (A), the Secretary may modify non-rehabilitative equipment owned by a veteran only if the veteran elects for such modification.

“(C) The Secretary shall annually submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report on rehabilitative equipment fur-

nished to veterans under subparagraph (A). Each such report shall include, with respect to the year covered by the report—

“(i) the number of veterans eligible to receive such rehabilitative equipment;

“(ii) the number of veterans who received such rehabilitative equipment;

“(iii) the number of veterans who elected to receive modified equipment pursuant to subparagraph (B); and

“(iv) any recommendations of the Secretary to improve furnishing veterans with rehabilitative equipment.

“(D) In this paragraph, the term ‘rehabilitative equipment’ means—

“(i) rehabilitative equipment, including recreational sports equipment that provide an adaption or accommodation for the veteran, regardless of whether such equipment is intentionally designed to be adaptive equipment; and

“(ii) includes hand cycles, recumbent bicycles, medically adapted upright bicycles, and upright bicycles.”.

(b) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated to carry out the requirements of this section and the amendments made by this section. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise in support of the amendment, which would allow the VA flexibility in providing equipment to help injured veterans recover through adaptive recreation. Specifically, it allows the Secretary of the VA to furnish rehabilitative equipment to veterans entitled to prosthetic appliances or modify non-rehabilitative equipment owned by a veteran. For example, this bill would allow a veteran with a prosthetic to bring his or her bike in and have it fitted to work with their prosthetic.

Currently, the VA can purchase new recreational equipment to support healing for the veteran, but sometimes a veteran just wants to use his or her own equipment; they want a return to normal after a major life-changing event that led to their need for a prosthetic.

This bill has no cost since the VA already has the equipment and the people to do this. I urge my colleagues to support this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, this is another valuable piece of legislation brought to us by our friend, Mr. WALZ. Disabled veterans do, in fact, need access to adapt-

ive equipment, including recreational sports equipment. I think that this is a very commonsense amendment. I support it. I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 21 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114-742.

Mr. DUFFY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. APPOINTMENT OF LICENSED HEARING AID SPECIALISTS IN VETERANS HEALTH ADMINISTRATION.

(a) LICENSED HEARING AID SPECIALISTS.—

(1) APPOINTMENT.—Section 7401(3) of title 38, United States Code, is amended by inserting “licensed hearing aid specialists,” after “Audiologists.”.

(2) QUALIFICATIONS.—Section 7402(b)(14) of such title is amended by inserting “, hearing aid specialist” after “dental technologist”.

(b) REQUIREMENTS.—With respect to appointing hearing aid specialists under sections 7401 and 7402 of title 38, United States Code, as amended by subsection (a), and providing services furnished by such specialists, the Secretary shall ensure that—

(1) a hearing aid specialist may only perform hearing services consistent with the hearing aid specialist’s State license related to the practice of fitting and dispensing hearing aids without excluding other qualified professionals, including audiologists, from rendering services in overlapping practice areas;

(2) services provided to veterans by hearing aid specialists shall be provided as part of the non-medical treatment plan developed by an audiologist; and

(3) the medical facilities of the Department of Veterans Affairs provide to veterans access to the full range of professional services provided by an audiologist.

(c) CONSULTATION.—In determining the qualifications required for hearing aid specialists and in carrying out subsection (b), the Secretary shall consult with veterans service organizations, audiologists, otolaryngologists, hearing aid specialists, and other stakeholder and industry groups as the Secretary determines appropriate.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter during the five-year period beginning on the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the following:

(A) Timely access of veterans to hearing health services through the Department of Veterans Affairs.

(B) Contracting policies of the Department with respect to providing hearing health

services to veterans in facilities that are not facilities of the Department.

(2) **TIMELY ACCESS TO SERVICES.**—Each report shall, with respect to the matter specified in paragraph (1)(A) for the one-year period preceding the submittal of such report, include the following:

(A) The staffing levels of audiologists, hearing aid specialists, and health technicians in audiology in the Veterans Health Administration.

(B) A description of the metrics used by the Secretary in measuring performance with respect to appointments and care relating to hearing health.

(C) The average time that a veteran waits to receive an appointment, beginning on the date on which the veteran makes the request, for the following:

(i) A disability rating evaluation for a hearing-related disability.

(ii) A hearing aid evaluation.

(iii) Dispensing of hearing aids.

(iv) Any follow-up hearing health appointment.

(D) The percentage of veterans whose total wait time for appointments described in subparagraph (C), including an initial and follow-up appointment, if applicable, is more than 30 days.

(3) **CONTRACTING POLICIES.**—Each report shall, with respect to the matter specified in paragraph (1)(B) for the one-year period preceding the submittal of such report, include the following:

(A) The number of veterans that the Secretary refers to non-Department audiologists for hearing health care appointments.

(B) The number of veterans that the Secretary refers to non-Department hearing aid specialists for follow-up appointments for a hearing aid evaluation, the dispensing of hearing aids, or any other purpose relating to hearing health.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1530

Mr. DUFFY. Mr. Chairman, I rise today in support of my amendment, amendment No. 20, to Chairman MILLER's VA Accountability First and Appeals Modernization Act.

My amendment would add hearing aid specialists to the list of medical providers at the VA, allowing veterans access to timely hearing aid adjustments while still providing them with the same quality of care.

I come from rural America. One of the issues that we come across is that many of our veterans have hearing issues and—by the way, hearing and audiology issues are increasing at a rate of 10 percent per year in the VA—it takes a long time to get an appointment with an audiologist.

Once they get that appointment with the audiologist and they get a hearing aid, oftentimes they have to come back to the audiologist, waiting 2 weeks, 4 weeks, 6 weeks for that appointment to get that hearing aid adjusted and fitted. Or if something goes wrong, they have to wait another 4 weeks to go back to get it refitted and fixed.

So what this amendment would do is allow for our veterans to use hearing

aid specialists, oftentimes in their own community, getting quick access to care so that they can hear. It is also going to free up our audiologists to do the more serious work that is necessary with our veterans. We are in a scenario where not only are we going to save money, but we are also going to be able to provide better quality care to our veterans.

In my neck of the woods, if a veteran can get a hearing aid adjusted in their own community as opposed to driving 2 hours or 3 hours to a VA facility, it is a big, big deal for them.

So often I am hearing stories from family members who talk about their loved one who is maybe from Vietnam or from World War II. They will sit around the table and just smile, nodding their head in conversations because they can't hear.

I have heard stories where they have gotten their hearing aids and they have actually thrown them away because they can't get appointments. They don't know how the darn things work.

This is an easy fix. I appreciate the chairman's support. I think we have support from my friends across the aisle. It is an easy fix with no cost.

Mr. Chairman, I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I claim the time in opposition, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. TAKANO. Mr. Chair, I am prepared to support the amendment, and I urge my colleagues to do the same.

Mr. Chair, I yield back the balance of my time.

Mr. DUFFY. Mr. Chair, I appreciate the gentleman's support.

Mr. Chair, I include in the RECORD six letters from numerous veterans service organizations in support of H.R. 5620, as amended.

IRAQ AND AFGHANISTAN
VETERANS OF AMERICA,
August 26, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs, Washington, DC.

DEAR CHAIRMAN MILLER, Iraq and Afghanistan Veterans of America (IAVA) and our 425,000 members are pleased to offer our strong support for H.R. 5620, the VA Accountability First and Appeals Modernization Act.

It has been over two years since the scandal in Phoenix alerted the country to the egregious state of the VA health care system. And yet little has been done to ensure the VA is equipped with the necessary authorities to address workforce accountability. The large majority of VA employees serve veterans with distinction, but there are employees whose poor performance or, at worst, gross negligence put veterans at risk. They need to immediately be removed from the VA to restore trust within the VA system. IAVA believes this legislation provides the VA leadership those necessary authorities while still providing due process. While accountability at the VA is past due, the changes to due process and the appointments clause ensure such accountability is done responsibly.

Additionally, this legislation provides many improvements to the disability compensation appeals process desperately needed at the VA to better manage the appeals backlog. Reducing burdensome red tape will better serve veterans and their families and will improve efficiency within the VA.

Veterans have made great sacrifices in service to our nation, and IAVA believes they deserve a VA that can provide the level of care they have earned. If we can be of help, please contact Tom Porter, IAVA's Legislative Director.

Sincerely,

JONATHAN SCHLEIFER,
Interim Chief Policy Officer,
Iraq and Afghanistan Veterans of America.

NATIONAL ASSOCIATION FOR
UNIFORMED SERVICES,
Springfield, VA, July 13, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of the nationwide membership of the National Association for Uniformed Services (NAUS), I would like to offer our full support for H.R. 5640, a bill that combines VA accountability provisions with personnel appeals reform.

Your legislation would enhance the power of the Department of Veterans Affairs to hold its employees accountable for their actions and for when they abuse their public trust and their obligation to care for sick and injured veterans. At the same time, your bill is balanced. It does not come at the expense of fairness and equitable treatment of VA employees.

NAUS supports efforts to reform VA into an organization worthy of the veterans it is charged with serving. Various personnel policies and antiquated rules have played a part in pushing its ranks into a culture of corruption that has led to a list of scandals in VA facilities nationwide. It is time to ensure accountability where it is needed.

Once again, thank you for introducing legislation that will address the intolerably corrosive culture of no-accountability at the Department of Veterans Affairs. Thank you as well, for your continued support for America's veterans.

Sincerely,

RICHARD A. JONES,
Legislative Director.

RESERVE OFFICERS ASSOCIATION,
Washington, DC, July 15, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: The Reserve Officers Association of the United States supports H.R. 5620, the "VA Accountability First and Appeals Modernization Act of 2016," to amend title 38 U.S.C., giving the Secretary of Veterans Affairs broader authority to establish performance accountability among employees within the department and to reform the disability claims appeal process.

The public's trust in the quality of VA health care and benefits administration has needlessly suffered because VA employees were not doing their jobs and because VA managers at all levels neglected their responsibilities. Poor performance has cost veterans their health and even their lives; veterans die waiting for a claim settlement. Families trust that their loved one will be taken care of and not taken from them.

Civil servants must be accountable; poor performance must not be tolerated, nor rewarded with promotions and bonuses. The VA leadership's disciplinary failure is clear: according to congressional sources, in the wake of the 2014 scandals only three employees have been terminated; of 452 disciplinary

cases, nearly a third were mitigated. “. . . in the San Diego [regional office], a Veteran Service Representative was proposed for removal, but the employee only received a suspension for less than 14 days. The suspensions can also be misleading as we have seen plenty of cases where VA merely uses a ‘paper’ suspension but in reality the employee serves a much shorter suspension, if they serve one at all.”

Accountability will strengthen the civil service: high-performing teams will attract quality into public service. Of special value are measures impacting the Senior Executive Service. Essentially beyond the reach of discipline and accountability, the SES is the “center of gravity” for an agency’s performance: the effects of mediocrity at the top, with bonuses unjustified by performance, cascades devastatingly through the ranks.

ROA also supports the act’s increased whistleblower protections; in truth, the legislative branch and the agency’s internal controls, such as its inspector general, have at best a limited capacity to identify abuses of the public trust that occur beyond detection, deep in the bureaucracy. Whistleblowers are a veteran’s best friend and must be encouraged and protected.

But merely giving an agency the tools to make internal corrections does not necessarily lead to their use: Congress must exercise rigorous oversight, unsparingly revealing to public scrutiny the failures of agency heads and the administration in discharging their duties, and exerting all influential means appropriate to bring about correction.

ROA has a membership of 50,000 and is the only national military association that exclusively supports all the uniformed reserve components of the United States. Thank you for your efforts on this issue, and your support of our veterans. Please have your staff call Susan Lukas, ROA’s legislative director with any question or issue you would like to discuss.

Sincerely,

JEFFREY E. PHILLIPS,
Executive Director.

STUDENT VETERANS OF AMERICA,
Washington, DC, July 7, 2016.

Chairman JEFF MILLER,
Committee on Veterans Affairs,
House of Representatives.

CHAIRMAN MILLER: On behalf of Student Veterans of America (SVA), a coalition of over 1,390 student veteran organization chapters at colleges and universities with over 550,000 student veterans at those campuses, I am writing to express our support of HR 5620 the “VA Accountability First and Appeals Modernization Act of 2016”. The bill supports stronger accountability measures for Department of Veterans Affairs employees and increases the efficiency of the disability appeals process. This bill gives the VA secretary the authority to take necessary action against negligent employees, such as recalling their bonuses and relocation expenses. Accountability is a major challenge for the VA and this bill addresses accountability challenges with specific measures. In addition, we support reform of the benefit appeals process.

As supporters of the previous legislation the “VA Accountability Act of 2015”, we support these necessary changes. Student veterans nationally rely on the Department of Veterans Affairs for benefits and for health care as well as other programs and services. The goals of HR 5620 align with those of SVA. As Secretary McDonald said, “As the Nation’s foremost advisory body in medicine and healthcare, you know that the Department of Veterans Affairs is in the midst of overcoming problems involving access to

healthcare. We own them, and we’re fixing them.”

The Secretary of the Department of Veterans Affairs requires legislative authority to fix accountability challenges so he may hold employees accountable with appropriate policies and processes. SVA supports this bill for these reasons. Please contact us should you have any questions or concerns.

Respectfully,

JAMES SCHMELING,
Executive Vice President.

JULY 22, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs, Washington DC.

DEAR CHAIRMAN MILLER: VetsFirst, a program of United Spinal Association is writing to express its upmost support for H.R. 5620, “VA Accountability First and Appeals Modernization Act of 2016.” As a VA recognized National Veterans Service Organization, United Spinal Association, through its VetsFirst program, advocates on behalf of all of our nation’s veterans. With the numerous scandals plaguing VA now, it is essential that Congress take action to rectify the situation and this legislation is an important first step.

The VA Accountability First and Appeals Modernization Act of 2016 is a worthy piece of legislation as it proposes to tackle several issues that have undercut the taxpayers’ faith in VA. H.R. 5620 provides for the removal or demotion of employees based on performance or misconduct. This is critical as it not only removes bad apples within VA, but addresses the culture of VA and shows that Congress will no longer tolerate the abuse of our nation’s veterans. It provides for the reduction of benefits for senior executive service (SES) members convicted of certain crimes, recoups bonuses and relocation bonuses of certain VA employees, streamlines personnel actions and addresses the treatment of whistleblowers. Finally, it provides much needed reform to the current VA appeals process. This reform is essential as it addresses employee’s misconduct more efficiently, while establishing procedures that ensure the accused’s Constitutional rights are properly protected.

VetsFirst, believes that Veterans deserve honest, timely and efficient service. For too long VA and its culture have allowed for abuses against those who have sacrificed for this nation. H.R. 5620 addresses both the abuses and the need for cultural reform. Therefore, we are proud to offer our support for this meaningful legislation.

If we can be of further assistance, please contact Ross Meglathery, Vice President of VetsFirst, if VetsFirst can be of assistance.

Sincerely,

ROSS MEGLATHERY,
Vice President, VetsFirst,
a program of United Spinal Association.

UNITED STATES ARMY,
WARRANT OFFICERS ASSOCIATION,
Herndon, VA, August 9, 2016.

Hon. JEFF MILLER,
Chairman, House Veterans Affairs Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: The United States Army Warrant Officers Association (USAWOA) is the only military service organization thoroughly devoted to the welfare of Army Warrant Officers—serving, former and retired—and their families. The USAWOA writes in support of your bill, H.R. 5620, the “VA Accountability First and Appeals Modernization Act of 2016.”

Your bill would provide the Secretary of the Department of Veterans Affairs (VA) increased flexibility to remove VA employees for performance or misconduct, would pro-

vide improved protections for whistleblowers (including restricting bonus awards for supervisors who retaliate against whistleblowers), and would strengthen accountability of VA Senior Executive Service (SES) employees.

This legislation would also reform and streamline the VA’s appeals process for disability benefits. This is crucial, as the backlog of appeals appears to be growing at geometric rates.

USAWOA joined other members of The Military Coalition in working hard with members of Congress on the VA Choice Act in 2014. H.R. 5620 expands on this good work, to provide vastly more efficient service to our Veterans in need, as it also enforces greater accountability of the professionals tasked with serving them.

The USAWOA thanks you for your leadership on this issue. Please do not hesitate to contact me for clarification of USAWOA’s position on this, or any other issue in the future.

Sincerely,

JACK DU TEIL,
Executive Director.

Mr. DUFFY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 22 OFFERED BY MR. MILLER OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114-742.

Mr. MILLER of Florida. Mr. Chair, I offer an amendment as the designee of the gentleman from New Jersey (Mr. LANCE).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. ANNUAL REPORT ON PERFORMANCE OF REGIONAL OFFICES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7734 of title 38, United States Code, is amended—

(1) in the first sentence, by inserting before the period the following: “and on the performance of any regional office that fails to meet its administrative goals”;

(2) in paragraph (2), by striking “and”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) in the case of any regional office that, for the year covered by the report, did not meet the administrative goal of no claim pending for more than 125 days and an accuracy rating of 98 percent—

“(A) a signed statement prepared by the individual serving as director of the regional office as of the date of the submittal of the report containing—

“(i) an explanation for why the regional office did not meet the goal;

“(ii) a description of the additional resources needed to enable the regional office to reach the goal; and

“(iii) a description of any additional actions planned for the subsequent year that are proposed to enable the regional office to meet the goal; and

“(B) a statement prepared by the Under Secretary for Benefits explaining how the failure of the regional office to meet the goal affected the performance evaluation of the director of the regional office; and”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Florida (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chair, I offer this amendment, which is similar to a provision that was previously passed in the House in the 113th Congress. It improves transparency and provides important information about each regional office's accuracy and productivity.

I think that each regional office is required to submit a report whenever it fails to meet its goal of processing claims within 125 days and with 98 percent accuracy. Those are numbers that VA has set forth. I think that it is very important that we keep a timely track on this and not allow the backlogs to continue for an inordinate period of time.

I urge my colleagues to support the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MILLER).

The amendment was agreed to.

Mr. MILLER of Florida. Mr. Chair, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MILLER of Florida) having assumed the chair, Mr. ROTHFUS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, had come to no resolution thereon.

REGULATORY INTEGRITY ACT OF 2016

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5226.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 863 and rule XVIII, the Chair declares the House in the Committee of the Whole House on

the state of the Union for the consideration of the bill, H.R. 5226.

The Chair appoints the gentleman from Pennsylvania (Mr. ROTHFUS) to preside over the Committee of the Whole.

□ 1538

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, with Mr. ROTHFUS in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my bipartisan bill, H.R. 5226, the Regulatory Integrity Act of 2016, a good government transparency bill.

This bill is a simple concept, but I believe it will have an important and positive impact on the public's participation in the regulatory process. That positive impact will, in turn, benefit the regulatory process as a whole.

Mr. Chairman, the public comment period is an essential part of upholding our democratic values. It ensures that Americans will have their voices heard in the Federal Government's regulatory process.

H.R. 5226 helps preserve the integrity of the public commenting in two primary ways. First, the bill defines the parameters of how an agency should communicate when the agency is offering a proposal to the public and when asking that the public provide feedback. This bill requires agencies to do only what you should expect them to do, if the request for feedback was genuine and sincere.

Mr. Chairman, H.R. 5226 requires the agency to, one, identify itself; two, clearly state whether the agency is accepting public comments or considering alternatives; and, three, most importantly, speak about the regulation in a neutral, unbiased tone.

The people I represent in Michigan's Seventh District are ready to offer honest and thoughtful feedback, but they currently lack confidence that Federal agencies are actually open to their insights and constructive criticism.

There may be no better example of this tendency to ignore the American public than the EPA's Waters of the U.S. Rule. The EPA not only overlooked the very real concerns of the countryside—concerns expressed by my constituents in Monroe, Jackson, and

Lenawee County—but the EPA actually engaged in a social media campaign to gin up support for their proposal.

In fact, the Government Accountability Office found that the EPA undertook a “covert propaganda” campaign by soliciting social media comments in support of their proposed rule. GAO also told the EPA to report this violation to the President and Congress because “the agency's appropriations were not available for these prohibited purposes.”

The public comment period is the opportunity afforded to American people to voice their concerns on proposed rules, and agencies must take their input seriously.

Mr. Chairman, this bill simply tells agencies that they need to keep to the facts and avoid soliciting support when they ought to be soliciting comments.

Mr. Chairman, the second way this bill helps to preserve the integrity of the regulatory process is that it establishes transparency requirements for the agency in how it communicates to the public.

The bill requires agencies to post on their Web site some basic information about each communication the agency makes about pending regulatory action. For each communication, the public will be able to see a copy of the communication, the intended audience, the method of communication, and the date the communication was issued.

Additionally, agencies will be required to post online a description of each regulatory action, the date the agency first began to consider or develop each action, the status of each action, and the expected date of completion for each action.

Mr. Chairman, these basic transparency measures will allow the public to have a central source for all communication about a specific regulatory action so that the public can have a full and equal opportunity to understand the intent of the agency.

It will also allow Congress and the American public to verify that communications to the public about regulatory actions are honest, unbiased, and compliant with the requirements of the bill.

Mr. Chairman, although individuals may disagree about how much regulation is appropriate or how intrusive regulations might be, we should all agree that the public's participation is a vital part of legitimizing the rule-making process. Without input from the public—input that is fully considered by the agency promulgating the rule—something fundamental is missing from the legislation itself.

Unfortunately, we have seen over and over again agencies that seem to believe that the regulatory process is simply a perfunctory act of compliance necessary to reach the end goal of whatever regulatory scheme the agency's staff feels is best.

What we see when the agency diminishes the public input is that the rule-making process is used by agencies to

advocate for what should be a proposed rule rather than used to refine and improve upon the agency's existing thoughts.

□ 1545

In fact, Congress originally established the regulatory process as a way to crowdsource the development of regulations long before the term "crowdsourcing" was even a thing.

Mr. Chairman, this bill helps us return to our original intent of crowdsourcing regulatory efforts, by preventing agencies from boasting to the public about how great their proposal is, instead of honestly and earnestly asking for feedback, constructive criticism, and a dialogue about how best to solve problems. As a result, H.R. 5226 will restore integrity to our regulatory process.

I appreciate the opportunity to bring the bill to the floor today. I urge my colleagues to support this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 5226, and I cannot support this bill as drafted. This legislation is another attempt by House Republicans to attack agency rulemakings with which they disagree. This attack is done under the guise of creating more transparency, but the bill will actually lead to less openness in the agency rulemaking process.

The bill we are considering today supposedly aims to prohibit improper communications by agencies, known as agency aggrandizement. What the bill actually does is muzzle agencies from talking about pending rules.

This bill would prohibit agencies from making public communications to solicit support for or to promote a pending agency regulatory action. Agencies currently are prohibited from grassroots lobbying for an agency rule or from engaging in publicity or propaganda.

The GAO has issued opinions that define what agencies can and cannot say. GAO says that three categories of communications are off limits: one, covert communications; two, self-aggrandizement; and three, purely partisan activities.

This bill goes far beyond that by prohibiting communications that are to promote a rule. Almost anything an agency says would be considered promotion of a rule. The practical impact of this legislation is that almost any action the agency made to communicate the benefits of a rule could be considered to be improperly promoting a pending action.

The bill defines public communication to include every oral, written, or electronic communication. This means that tweets as innocuous and as popular as the Department of the Interior's daily nature photo could even be considered improper promotion. I cannot believe that the sponsors of this

bill would really intend to regulate nature photos on Twitter.

In addition to limiting communications between agencies and the public, this legislation contains a number of other unnecessarily burdensome requirements.

Yesterday, the White House issued a Statement of Administration Policy that said that, if this bill were presented to the President, his senior advisers would recommend that he veto the bill. That statement said: "The Regulatory Integrity Act would be duplicative and costly to the American taxpayer. The separate tracking and reporting of agency communications as prescribed by the bill is unnecessary, is extremely burdensome, and provides little to no value while diverting agency resources from important priorities."

I urge my colleagues to reject H.R. 5226.

I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank the gentleman for his leadership on this important issue.

Congress and the courts have stated time and again, agencies cannot use taxpayer funds to lobby Congress on rules and regulations. It is supposed to be perfectly clear, but, unfortunately, we have seen that this administration thinks it is above the law, disregarding the clear differences between disseminating information and lobbying.

In 2004, The New York Times—yes, The New York Times—reported on the EPA's use of taxpayers' funds for a propaganda campaign to promote its proposed clean water rule.

The minority talks about muzzling. Well, we do need to muzzle propaganda. At the same time the EPA was working with outside groups to actively promote the rule on social media like Facebook and Twitter, this covert propaganda came, despite the clear line that prohibits Federal agencies from engaging and lobbying on causes.

Enough is enough, Mr. Chairman. Federal agencies should not be using taxpayer dollars to lobby on behalf of rules and regulations they are issuing, as The New York Times pointed out and discovered.

I have heard from farmers, manufacturers, miners, and more in West Virginia about their concerns with rules such as waters of the U.S. Their concerns are legitimate, and the EPA should not be drowning out criticism by actively lobbying for their own rules on social media.

This is a commonsense bill. This deserves bipartisan support by all Members of Congress. It shouldn't matter which party is in control of Congress or which party is in the White House. It is simply good policy.

I encourage approval of this legislation.

Mr. CLAY. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

I am awaiting additional Members who would like to speak to this issue, but, in the intervening time, let me just say again I certainly, having majored in forestry and land management early in my academic career, love pictures of nature. We are not attempting to stop that from taking place. We are simply saying that the American public deserves the opportunity, in regulatory issues, to make clear public comments and to know, with transparency, what agencies are doing.

To find out, with the new social media opportunities, that agencies like the EPA are using taxpayer dollars to purchase specific tools, electronic media tools, to engage in encouraging people only to comment positively about their rules, that is a great concern. So, Mr. Chairman, I think it is appropriate for us to put a little further block in saying taxpayers ought to be considered and agencies ought to listen to them, and not the other way around.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I have a letter in my possession signed by numerous groups, public interest groups, stating their opposition to H.R. 5226. It is a very interesting combination of groups: the AFL-CIO, AFSCME, American Association of University Women, Americans for Financial Reform, Clean Water Action, Consumer Action, Consumer Federation of America, Consumers for Auto Reliability and Safety, Earthjustice, U.S. PIRG, United Steelworkers, Voices for Progress, WE ACT for Environmental Justice, Project on Government Oversight, Public Citizen, Prairie Rivers Network, and NETWORK Lobby for Catholic Social Justice.

What they all agree on is that the Regulatory Integrity Act will significantly undermine a Federal agency's ability to engage and inform the public in a meaningful and transparent way regarding its work on important, science-based rulemakings that will greatly benefit the public.

As a result, the bill will lead to decreased public awareness and participation in the rulemaking process in direct contradiction of the Administrative Procedure Act and agencies' authorizing statutes which specifically provide for broad stakeholder engagement.

They point out that substantial ambiguities in the bill threaten to create uncertainty and confusion among agencies about what public communications are permissible and, thus, risk discouraging them from keeping the public apprised of the important work that they do on its behalf.

In an era when agencies should be increasingly embracing innovative 21st century communications technologies needed to reach the public, including

social media, H.R. 5226 sends exactly the wrong message. So that means that all of these groups feel as though this legislation would dampen or chill the public's ability to be able to weigh in on a rule, to be able to even know what those agencies are doing. I just, for the life of me, cannot understand what the urgency is to pass this bill into law and to have the chilling effects that it would have on the public's ability to communicate with its government.

Mr. Chairman, I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

I thank my friend and colleague from Missouri. I appreciate his concerns, appreciate the list. But in that list, I didn't hear anyone that would have to live directly under the new regulations that are being proposed or people that would offer comment with great concerns of how it would impact them.

I am thinking of the agriculture community in my district, major community in the district, with great concerns about waters of the U.S. and the impact that it would have in doing away with the opportunity of the family farm, in many cases.

So I don't see any significant problems with any ambiguity, if there be any, which this legislation might produce amongst agencies because we are always open to agencies coming to Congress asking questions. What did we mean?

I think debates like this, that I appreciate, give an opportunity to look back and say this is what we debated, this is what we meant to do, and this is how you ought to carry it out. So the issue of any ambiguity that would come up from this legislation, in fact, I don't think it is a problem. It adds more insight.

I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, again, listening to the critical nature of this issue about communication—I served 18 years in our State legislature. One of the great awakenings to me up here was the fact that, once we pass a law and we tell the administration, who tells an agency to craft a rule to carry out that law, under the Federal system, the agency can do essentially whatever it wants to do.

□ 1600

That rule doesn't officially come back and not go into effect until the Congress gives its stamp of approval. The agency basically can do almost anything it wants. The role, responsibility, and power of Congress is somewhat limited.

In the State legislature, a rule had to come back in West Virginia and get the full approval of the legislature once again. That was the voice of the legislature to say: We think you got it right, agency, or not.

We don't have that luxury here. That is why in this rulemaking process, the

communication as the draft rule and proposed final rule get published, we run into the issue where an agency, through all these incredible communication tools, might cross the line and actually try to influence the public comments to bolster their rule, essentially lobbying for their own rule. That is simply wrong. We need to have a clearly defined rule.

That is what this bill does. We need to put the power back in the people and to make sure that they are not unduly influenced by an agency that is simply trying to sell their rule. Communicating with the public is important. We have incredible communication tools. That is a positive thing. But they have to be used in the right way, and that is why this legislation makes sure that they are used in the right way and why this is so important.

Mr. CLAY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, my friend from Michigan mentioned that he didn't hear in the list people that may be impacted by this legislation. The list includes 34 different groups, and some of them that I think that all of us represent that would be impacted by this arbitrary legislation are groups like Consumer Federation of America, Earthjustice, Environment America, Greenpeace, Natural Resources Defense Council, and Prairie Rivers Network—I am not even sure where that is based, but I represent the confluence of the Mississippi and Missouri rivers right at St. Louis, so water is important to the people in my region—U.S. PIRG, Union of Concerned Scientists, United Steelworkers, and United Support and Memorial for Workplace Fatalities. Those are some of the groups that are represented in this letter.

Mr. Chairman, I yield the balance of my 5 minutes to the gentlewoman from the U.S. Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chairman, I thank my colleague from Missouri.

Mr. Chairman, H.R. 5226, the Regulatory Integrity Act of 2016, would, we believe, impose duplicative and unnecessary procedural requirements on agencies that would prevent them from efficiently performing their statutory responsibilities and could potentially lead to a less informed public due to the nature of the communication that is requested or not to be requested by this bill. Additionally, Mr. Chairman, these duplicative services will be costly to the American taxpayer.

While we agree that some increased transparency should be considered, this bill actually grinds regulatory processes and has an onerous and chilling reporting requirement to it. The bill increases bureaucratic red tape my Republican colleagues purport to be the problem with government and creates additional oversight by the Federal Government on agencies. We do have the ability to keep agencies from what their rulemaking is through our own appropriation of those agencies and what they do.

If that isn't reason enough not to support this legislation, its added costs to the American taxpayers should do the job. The separate tracking and reporting of agency communications as prescribed by the bill is unnecessary and extremely burdensome and provides little to no value while diverting agency resources from the important priorities and work that the agencies with limited resources as it is are supposed to carry out.

This bill is designed for the majority to more easily combat agency actions that they disagree with.

Mr. Chairman, there are more urgent matters that we need to be taking up at this time that need our immediate attention: the Zika virus, the Flint water crisis, gun violence, and the heroin and opiate crisis that are going on right now. This is really unnecessary time that this Congress should be taking, and we believe that this should be struck down by this Congress.

Mr. WALBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BISHOP), my good friend and colleague.

Mr. BISHOP of Michigan. Mr. Chairman, I thank Mr. WALBERG for all his hard work on this issue. It is a very important issue for this country and the people that we represent.

Every year, unelected bureaucrats create thousands of onerous rules that have the full effect of a law without any input from the people that they will impact—rules like the EPA's waters of the United States rule or the Department of Labor's overtime rule—which I hear about often in my office. These rules are able to be crafted and adopted behind closed doors without ever being voted on by a single elected official with absolutely no transparency and no public debate.

Nevertheless, this administration continues to churn out these rules without regard for the negative consequences or the fact that this rule-making process is contrary to the express terms of the United States Constitution, Article I, section 1, which gives exclusive lawmaking power to the legislative branch.

These rules have so many negative consequences like fewer jobs and less workplace flexibility, and they impact virtually everyone in some way or another. That is why I support Mr. WALBERG's bill, H.R. 5226, the Regulatory Integrity Act. It provides much-needed transparency into the rule-making process by requiring agencies to post all public comments in a central location. It also prohibits Federal agencies from actively soliciting support for any and all proposed rules during the public comment period.

Mr. Chairman, I have worked here for 2 years, and I am still shocked by the brazen disregard this administration has shown for the rule of law and the United States Constitution. I urge my colleagues on both sides of the aisle to vote "yes" on this measure.

Mr. WALBERG. Mr. Chairman, I would like to make the gentleman

from Missouri, my friend, aware that I have no further speakers and I am prepared to close.

Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to close by reiterating a few of the problems with the Regulatory Integrity Act. This bill would require agencies to report every interaction with the public regardless of whether it is a phone call, email, tweet, or more formal statement. The bill would prove completely unworkable and would have the effect of chilling agencies' interactions with the public and leading to less transparency with the agency rulemaking process.

I would support a bill that actually improved transparency. This bill will not accomplish that, and I cannot support it. I, again, urge my colleagues to reject this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleague for the concerns. I think we really want the same thing. We want to make sure that in the process of doing regulation rules, that they fit the need, but I guess I would add to the point that as limited as possible in order to keep the liberty, opportunity and growth in our country is what I would feel to be necessary.

We have regulatory agencies that are—because of their strength, their power, and their pervasiveness—able to direct the course of regulation under the guise of having public comment, under the guise of seeking that advice and even best practices; yet behind the scenes are using resources with some of the abilities they have today with social media and other things to lobby for a particular proposal before they have even looked at the comments from those that have to deal with it, whether it is a corporation or whether it is a farmer or whether it is a union.

As a former proud United Steel worker myself, I understand that regulations are important to make sure that protections are taken. But as a steelworker, I wanted to know that I had a job to come back to at a site to come back to. The place I worked at in the south side of Chicago is no longer there. Many of the reasons were because of bad decisions by the corporation, but also a regulatory climate that made it difficult to compete.

So all we are asking here is that there be full transparency, that Congress gets more involved in saying yes to good ideas from the agencies or saying no to bad ideas from the agencies, in listening to people and making sure that their concerns are met first and foremost. That is all I ask.

Mr. Chairman, that is why I ask support for H.R. 5226, I believe a common-sense and, yes, a bipartisan proposal to put transparency back into the system

and integrity in the way we do our regulatory reform.

Mr. Chairman, I yield back the balance of my time.

Ms. NORTON. Mr. Chair, there is loads of work for Congress to do “before we sleep”—from the budget for the federal government itself to funding for the Zika health emergency before it gets any more out of control.

Instead, the House just wasted time on H.R. 5226, the badly misnamed Regulatory Integrity Act, a bill so costly to taxpayers and so redundant of existing legislation that it has attracted a veto threat.

The bill adds wasteful costs to the regulatory process Republicans incessantly claim is too costly now. H.R. 5226 requires every public communication to be published within 24 hours. Duh! Public communications are by definition—public.

Republicans have never seen a regulation they like. Putting new and costly work on agencies won't make regulations any less acceptable. If the point was the same as usual—to try to deter regulations—Republicans are going to have to try harder.

The Acting CHAIR (Mr. WESTMORELAND). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-63. That amendment in the nature of a substitute shall be considered as read.

The text to the amendment in the nature of a substitute is as follows:

H.R. 5226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Regulatory Integrity Act of 2016”.

SEC. 2. PUBLICATION OF INFORMATION RELATING TO PENDING REGULATORY ACTIONS.

(a) AMENDMENT.—Chapter 3 of title 5, United States Code, is amended by inserting after section 306 the following new section:

“§ 307. Information regarding pending agency regulatory action

“(a) DEFINITIONS.—In this section:

“(1) AGENCY REGULATORY ACTION.—The term ‘agency regulatory action’ means guidance, policy statement, directive, rule making, or adjudication issued by an Executive agency.

“(2) AGGREGATION.—The term ‘aggregation’ means—

“(A) any communication emphasizing the importance of the Executive agency or agency regulatory action that does not have the clear purpose of informing the public of the substance or status of the Executive agency or agency regulatory action; or

“(B) any communication that is puffery.

“(3) PUBLIC COMMUNICATION.—The term ‘public communication’—

“(A) means any method (including written, oral, or electronic) of disseminating information to the public, including an agency statement (written or verbal), blog, video, audio recording, or other social media message; and

“(B) does not include a notice published in the Federal Register pursuant to section 553 or any requirement to publish pursuant to this section.

“(4) RULE MAKING.—The term ‘rule making’ has the meaning given that term under section 551.

“(b) INFORMATION TO BE POSTED ONLINE.—

“(1) REQUIREMENT.—The head of each Executive agency shall make publicly available in a searchable format in a prominent location either on the website of the Executive agency or in the rule making docket on Regulations.gov the following information:

“(A) PENDING AGENCY REGULATORY ACTION.—A list of each pending agency regulatory action and with regard to each such action—

“(i) the date on which the Executive agency first began to develop or consider the agency regulatory action;

“(ii) the status of the agency regulatory action;

“(iii) an estimate of the date of upon which the agency regulatory action will be final and in effect; and

“(iv) a brief description of the agency regulatory action.

“(B) PUBLIC COMMUNICATION.—For each pending agency regulatory action, a list of each public communication about the pending agency regulatory action issued by the Executive agency and with regard to each such communication—

“(i) the date of the communication;

“(ii) the intended audience of the communication;

“(iii) the method of communication; and

“(iv) a copy of the original communication.

“(2) PERIOD.—The head of each Executive agency shall publish the information required under paragraph (1)(A) not later than 24 hours after a public communication relating to a pending agency regulatory action is issued and shall maintain the public availability of such information not less than 5 years after the date on which the pending agency regulatory action is finalized.

“(c) REQUIREMENTS FOR PUBLIC COMMUNICATIONS.—Any public communication issued by an Executive agency that refers to a pending agency regulatory action—

“(1) shall specify whether the Executive agency is considering alternatives, including alternatives that may conflict with the intent, objective, or methodology of such agency regulatory action;

“(2) shall specify whether the Executive agency is accepting or will be accepting comments;

“(3) shall expressly disclose that the Executive agency is the source of the information to the intended recipients; and

“(4) may not—

“(A) solicit support for or promote the pending agency regulatory action; or

“(B) include statements of aggrandizement for the Executive agency, any Federal employee, or the pending agency regulatory action.

“(d) REPORTING.—

“(1) IN GENERAL.—Not later than January 15 of each year, the head of an Executive agency that communicated about a pending agency regulatory action during the previous fiscal year shall submit to each committee of Congress with jurisdiction over the activities of the Executive agency a report indicating—

“(A) the number pending agency regulatory actions the Executive agency issued public communications about during that fiscal year;

“(B) the average number of public communications issued by the Executive agency for each pending agency regulatory action during that fiscal year;

“(C) the 5 pending agency regulatory actions with the highest number of public communications issued by the Executive agency in that fiscal year; and

“(D) a copy of each public communication for the pending agency regulatory actions identified in subparagraph (C).

“(2) AVAILABILITY OF REPORTS.—The head of an Executive agency that is required to submit a report under paragraph (1) shall make the report publicly available in a searchable format in

a prominent location on the website of the Executive agency.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 3 of title 5, United States Code, is amended by adding after the item relating to section 306 the following new item:

“307. Information regarding pending agency regulatory action.”.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 114-744. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BOUSTANY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-744.

Mr. BOUSTANY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 13, strike “; and” and insert a semicolon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

“(v) if a regulatory impact analysis or similar cost-benefit analysis has been conducted, the findings of such analysis, including any data or formula used for purposes of such analysis.

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I am here to offer an amendment to H.R. 5226, the Regulatory Integrity Act of 2016. This amendment is based on legislation I proposed earlier in the year.

By creating a new process that requires the administration to keep a clear, organized, and easy-to-understand list of all proposed and outstanding rules and regulations, we are forcing transparency on bureaucrats who are currently running amok.

I also want to thank my colleague, Mr. LOUDERMILK, for working with me to offer this very sensible amendment.

Our simple amendment requires the administration to make the data collected and the formula used for all Regulatory Impact Analysis, or RIA, publicly available. This is about simple transparency.

In other words, for an example, let's say BSEE, under the Department of the Interior, says that the well control rule—a proposal that will drastically affect the Louisiana energy offshore sector—will only cost the offshore oil and gas industry \$800 million to implement, and industry projections put

that number over \$9 billion, well, BSEE should be required to prove how they reached those figures. They should be required to make completely transparent their assumptions and their methodology. That is what the American people ask for.

□ 1615

The Obama administration is responsible for an unparalleled expansion of the regulatory state, with the imposition of 229 major regulations since 2009, a lot of costs incurred.

These proposals are being made with little regard to impact on businesses at a time of weak economic growth. The constant barrage of new regulations is causing some of the rules to be counterproductive, contradictory, difficult to understand, and impossible to implement.

This simple amendment will allow Congress to send a clear message to the administration that regulations must be based in facts, clearly understood, and completely transparent to the impacted industry and to the American public.

I encourage my colleagues to join us in supporting this amendment.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

This amendment does not alleviate my concerns with the underlying bill. In fact, this amendment may lead to more confusion.

It would require an agency to publish a cost benefit analysis for all rules if such a study was conducted. Agencies are already required to conduct a cost-benefit analysis for major rules under Executive Order 12866. Agencies publish the results of those analyses in the rulemaking dockets for those rules.

This is an unnecessary amendment, and I oppose it.

I yield back the balance of my time.

Mr. BOUSTANY. Mr. Chairman, this is an absolutely essential amendment because we need more transparency about methods and how these assumptions are built into what they are proposing.

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Chairman, I thank my colleague from Louisiana for working with us on combining two really good amendments to this.

Mr. Chairman, we live in an era right now of vast growth of our government. Those that are bearing the burden of this growth and this overregulation are the American people. The average American family pays \$15,000 a year in hidden regulatory costs. The burden of regulation upon the market and upon the industry today in our businesses is almost \$1.9 trillion, nearly a \$2 trillion impact on our economy that is coming out of our GDP.

If we want to see a recovery, if we want to actually see success in this Nation in our economy, let's reduce the regulation. But we live in an era right now where the mentality of this government is: if it breaths, tax it; if it doesn't breath, subsidize it; and if it is successful, then we will regulate it.

All this amendment does is require that these regulatory agencies be honest with the American people, be transparent with the American people, and let the American people know the cost that is going to come out of their pocketbooks for increasing regulation upon Americans, upon individuals, and upon their businesses.

I thank the gentleman for stepping forward and working with us on this amendment.

Mr. BOUSTANY. Mr. Chairman, I thank the gentleman.

The American people want transparency. I don't understand why our friends on the other side of the aisle would be opposed to transparency. All we are asking is that these agencies be truthful and very clear with the American public and provide all assumptions built into their methods of calculating the impact and the cost.

This is a simple amendment. It is a simple ask. We shouldn't even have to ask for this.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CLAY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. FLEMING

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-744.

Mr. FLEMING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 13, strike “; and” and insert a semicolon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

“(v) if applicable, a list of agency regulatory actions issued by the Executive agency, or any other Executive agency, that duplicate or overlap with the agency regulatory action.

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, I rise to offer an amendment to H.R. 5226,

also known as the Regulatory Integrity Act.

My amendment requires agencies to disclose where a proposed rule would duplicate or overlap with other existing rules when they are making the on-line disclosure required by the underlying bill. Our economy, and small businesses in particular, are suffering under a wet blanket of legislation, and it is particularly onerous when businesses have to comply with multiple sets of these regulations. One area that hits particularly close to home in Louisiana is the EPA's methane rule and its overlap with the BLM's methane and waste reduction rule.

Louisiana's Fourth District is home to the Haynesville Shale, one of our Nation's largest sources for natural gas. BLM doesn't have any authority under the Clean Air Act to regulate emissions, so, instead, they decided to regulate methane emissions under the guise of eliminating waste. This is a poorly disguised attempt to double-regulate those who produce natural gas on Federal lands and comes after BLM has superseded State fracking regulations with their own additional layer of costly Federal regulation.

EPA's regulation alone will make many oil and gas production wells cost prohibitive in today's economy, which of course is their desire as they pursue a "keep it in the ground" agenda. That is why I introduced H.R. 4037, the Keeping Oil and Natural Gas Flowing for Consumers Act, to block EPA's harmful rule and protect consumers.

One example that might appeal to my colleagues on the other side of the aisle is with respect to renewable energy. Now, I do not believe the Federal Government should be subsidizing any form of energy. We should have a marketplace where the most affordable and reliable energy sources freely compete with one another. But if my colleagues do want to subsidize wind farms, I would ask them, why do they have 10 different regulatory agencies with 96 forms that impose 3 million hours of paperwork costing an estimated \$177 million to complete? That seems counterproductive to their cause.

The House has recognized the need to eliminate costly and duplicative regulations. In January of this year, we passed H.R. 1155, the SCRUB Act, by JASON SMITH. My amendment would complement that effort by requiring agencies to identify, within their own regulations, where there is duplication or overlap with other regulations and disclose that to the public.

As we seek to root out corruption and prevent agencies from organizing Astroturf advocacy campaigns to promote costly regulations on the public, we must also be on the lookout for commonsense changes we can make to help our struggling economy recover. Identifying and ending duplicative rules is an easy way to start.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. Mr. Chairman, this amendment does nothing to fix the unworkable reporting requirements in the underlying bill. This amendment would require an agency to report if a proposed rule duplicates or overlaps with an existing regulation.

Executive Order 13563, issued by President Obama in 2011, already requires agencies to review rules for duplication and overlap. This amendment, itself, is duplicative and adds an unnecessary requirement without fixing the underlying problem.

I oppose this amendment, along with the underlying bill, and urge my colleagues to do the same.

I yield back the balance of my time. Mr. FLEMING. Mr. Chairman, I thank my good friend from Missouri. However, if such executive orders were actually enforced, we wouldn't have this problem. That would be great if President Obama's executive orders actually did prevent duplication and overlapping and the conflict and the problems that occurred. That would be great.

But, evidently, people in his own administration, the Obama administration, don't heed the requirements that are set forth by the leader of that, which is President Obama. That is why we need this in law, Mr. Chairman, because Congress itself needs to hold the agencies, and certainly the Obama administration, accountable for not enforcing the very executive orders that they put out.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-744.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, strike "; or" and insert a semicolon.

Page 5, after line 3, insert the following new subparagraph:

"(B) be sent through the private email account of an officer or employee of the Executive agency; or".

Page 5, line 4, strike "(B)" and insert "(C)".

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I rise in support of this amendment. It is a fairly simple amendment which will

prevent employees and other officers of an executive agency from using private email accounts when discussing pending regulatory actions.

In doing so, we will ensure that there is a clear record of communication throughout the rulemaking process, while making certain that no favoritism is received privately to a particular organization or outside group when drafting a rule.

Private communications—and that is the key word, "private communications"—between those that stand to gain from a pending rule and a regulatory agency raise, I believe, legitimate questions. We have seen this time and time again in the last few years. Specifically, there has been evidence of these private emails being used and working in the shadows with outside groups on cross-State air pollution, the Clean Power Plan, and Pebble Mine, just as examples.

These attempts to circumvent transparency by secretly using an outside group, by providing an outside group a seat at the table when regulations are being developed, is unacceptable and unfair. It has to stop, Mr. Chairman. This amendment would prevent this from happening and go a long way to promoting transparency, accountability, and integrity by our regulatory officials.

I urge my colleagues to support this amendment and final passage of the bill.

I reserve the balance of my time.

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I respectfully submit that this amendment is simple, but it is simply another excuse for Members on the other side to talk about emails. I believe that the issue that my colleague is attempting to address has already been addressed when, in 2014, President Obama signed into law the Presidential and Federal Records Act Amendments.

That legislation was sponsored by the ranking member of the Oversight and Government Reform Committee, ELIJAH CUMMINGS, and it added into law, for the first time, a specific requirement for Federal employees who use personal email accounts. That law now requires Federal employees, if they create a Federal or Presidential record using a personal email account, to forward a copy of the email to their official account within 20 days of that email.

□ 1630

This amendment would create a unique requirement for emails about rulemaking. I agree that employees should use their government email accounts whenever possible, but this bill is not the place to make new rules about Federal records. I—and I hope my colleagues—will oppose this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chair, what I could hear was that what we are trying to do here actually is expand that deal with rules and regulations. We understand it can be on other matters. I accept that. If they want to use official communication, that is fine. We just want a record that someone doesn't have to explore to try to find out what that is under rules and regulations.

So, again, I believe that we should stand on this, adopt this amendment, and ultimately pass the bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. BOUSTANY

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 154, not voting 36, as follows:

[Roll No. 508]

AYES—241

Abraham	Costello (PA)	Guinta
Aderholt	Cramer	Guthrie
Allen	Crawford	Hanna
Amash	Crenshaw	Hardy
Amodei	Cuellar	Harper
Ashford	Culberson	Harris
Babin	Curbelo (FL)	Hartzler
Barletta	Davidson	Hice, Jody B.
Barr	Davis, Rodney	Hill
Barton	Denham	Holding
Benishkek	Dent	Hudson
Bilirakis	DeSantis	Huelskamp
Bishop (GA)	Diaz-Balart	Huizenga (MI)
Bishop (MI)	Dold	Hultgren
Black	Donovan	Hunter
Blackburn	Duffy	Hurd (TX)
Blum	Duncan (SC)	Hurt (VA)
Bost	Duncan (TN)	Issa
Boustany	Ellmers (NC)	Jenkins (KS)
Brady (TX)	Emmer (MN)	Jenkins (WV)
Brat	Farenthold	Johnson (OH)
Bridenstine	Fitzpatrick	Jolly
Brooks (AL)	Fleischmann	Jones
Brooks (IN)	Fleming	Jordan
Buchanan	Flores	Joyce
Buck	Forbes	Katko
Bucshon	Fortenberry	Kelly (MS)
Burgess	Fox	Kelly (PA)
Byrne	Franks (AZ)	King (IA)
Calvert	Frelinghuysen	King (NY)
Carter (GA)	Garrett	Kinzinger (IL)
Carter (TX)	Gibbs	Kline
Chabot	Gibson	Knight
Chaffetz	Gohmert	Labrador
Clawson (FL)	Goodlatte	LaHood
Coffman	Gosar	LaMalfa
Cole	Gowdy	Lamborn
Collins (GA)	Granger	Lance
Collins (NY)	Graves (GA)	Latta
Comstock	Graves (LA)	Lieu, Ted
Conaway	Graves (MO)	LoBiondo
Cook	Green, Gene	Loftgren
Cooper	Griffith	Long
Costa	Grothman	Loudermilk

Love	Pitts	Sinema
Lucas	Poe (TX)	Smith (MO)
Lummis	Poliquin	Smith (NE)
MacArthur	Pompeo	Smith (NJ)
Marchant	Posey	Smith (TX)
Marino	Price, Tom	Stefanik
Massie	Ratcliffe	Stewart
McCarthy	Reed	Stivers
McCaul	Reichert	Stutzman
McClintock	Renacci	Thompson (PA)
McKinley	Ribble	Thornberry
McMorris	Rice (SC)	Tiberi
Rodgers	Rigell	Tipton
McNerney	Roby	Trott
McSally	Roe (TN)	Turner
Meadows	Rogers (AL)	Upton
Meehan	Rogers (KY)	Valadao
Mica	Rohrabacher	Wagner
Miller (FL)	Rokita	Walberg
Miller (MI)	Rooney (FL)	Walden
Mooney (WV)	Ros-Lehtinen	Walorski
Mullin	Roskam	Walters, Mimi
Mulvaney	Ross	Weber (TX)
Murphy (PA)	Rothfus	Webster (FL)
Neugebauer	Rouzer	Wenstrup
Newhouse	Royce	Westmoreland
Noem	Salmon	Wilson (SC)
Nugent	Sanford	Wittman
Nunes	Scalise	Womack
Olson	Schrader	Woodall
Palmer	Schweikert	Yoder
Paulsen	Scott, Austin	Yoho
Pearce	Sensenbrenner	Young (AK)
Perry	Sessions	Young (IA)
Peters	Shimkus	Zeldin
Peterson	Shuster	Zinke
Pittenger	Simpson	

NOES—154

Adams	Frankel (FL)	Nadler
Aguilar	Fudge	Napolitano
Beatty	Gabbard	Neal
Bera	Galleo	Nolan
Beyer	Garamendi	Norcross
Blumenauer	Graham	O'Rourke
Bonamici	Grayson	Pallone
Boyle, Brendan F.	Green, Al	Pascarell
Brady (PA)	Grijalva	Payne
Brown (FL)	Hahn	Perlmutter
Brownley (CA)	Hastings	Pingree
Bustos	Heck (WA)	Pocan
Butterfield	Higgins	Polis
Capps	Himes	Price (NC)
Capuano	Hinojosa	Quigley
Cárdenas	Honda	Rangel
Carney	Hoyer	Rice (NY)
Carson (IN)	Huffman	Richmond
Castor (FL)	Israel	Roybal-Allard
Castro (TX)	Jeffries	Ruppersberger
Chu, Judy	Johnson (GA)	Ryan (OH)
Cicilline	Johnson, E. B.	Sánchez, Linda T.
Clark (MA)	Kaptur	Sanchez, Loretta
Clarke (NY)	Kelly (IL)	Sarbanes
Clay	Kennedy	Schakowsky
Clyburn	Kildeer	Schiff
Cohen	Kilmer	Scott (VA)
Connolly	Kind	Scott, David
Conyers	Kirkpatrick	Sewell (AL)
Courtney	Kuster	Sherman
Crowley	Langevin	Sires
Cummings	Larsen (WA)	Slaughter
Davis (CA)	Larson (CT)	Smith (WA)
Davis, Danny	Lee	Speier
DeFazio	Levin	Swalwell (CA)
DeGette	Lewis	Takano
Delaney	Lipinski	Thompson (CA)
DeLauro	Lowenthal	Titus
DeBene	Lowe	Tonko
DeSaulnier	Lujan Grisham	Torres
Deutch	(NM)	Tsongas
Dingell	Luján, Ben Ray	Van Hollen
Doggett	(NM)	Vargas
Doyle, Michael F.	Maloney, Carolyn	Vela
Duckworth	Maloney, Sean	Velázquez
Edwards	Matsui	Walz
Ellison	McCollum	Wasserman
Engel	McDermott	Schultz
Eshoo	McGovern	Waters, Maxine
Esty	Meeks	Watson Coleman
Farr	Moore	Welch
Foster	Moulton	Yarmuth
	Murphy (FL)	

NOT VOTING—36

Bass	Cleaver	Heck (NV)
Becerra	DesJarlais	Hensarling
Bishop (UT)	Fincher	Herrera Beutler
Cartwright	Gutiérrez	Jackson Lee

Johnson, Sam	Messer	Thompson (MS)
Keating	Moolenaar	Veasey
Lawrence	Palazzo	Visclosky
Loeback	Pelosi	Walker
Luetkemeyer	Ruiz	Westerman
Lynch	Rush	Williams
McHenry	Russell	Wilson (FL)
Meng	Serrano	Young (IN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1654

Mrs. DINGELL, Mr. PALLONE, and Miss RICE of New York changed their vote from “aye” to “no.”

Mr. SHIMKUS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. GUTIERREZ. Mr. Chair, I was unavoidably absent in the House chamber for rollcall vote 508 on Wednesday, September 14, 2016. Had I been present, I would have voted “nay.”

Ms. JACKSON LEE. Mr. Chair, I was unavoidably detained at the White House. Had I been present, I would have voted: Rollcall No. 508, “nay.”

Ms. WILSON of Florida. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 508.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and, pursuant to House Resolution 863, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. Mr. Speaker, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 5226 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

Page 5, after line 6, insert the following:

“(d) APPLICABILITY.—The restriction described in subsection (c)(4) shall not apply to any public communication to combat a public health crisis including the Zika virus, opioid abuse, and lead poisoning.”.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes

Mr. KILDEE. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This bill is yet another Republican attempt to delay the formation of critical regulations, including those we need to keep our communities safe. In addition, this bill actually prohibits agencies from publicly communicating to the American people about why a proposed regulation or action is beneficial, including vital information about the impact on public health. We cannot allow the underlying bill to impede the government's ability to share critical public health information.

□ 1700

Mr. Speaker, my motion to recommit is pretty simple. It would allow agencies to provide critical information to the public in order to combat public health crises, like Zika, like opioid abuse, or like the lead poisoning that has been experienced in my hometown of Flint. I know what happens when we ignore or impede the ability to enforce regulations. Thousands of children in my hometown of Flint, Michigan, have suffered from lead poisoning.

Even now, I know many Members on both sides of the aisle ask: How is it going in Flint? They often ask me: Is this crisis over; has it been settled? Today, a year after this crisis became public, 2 years after the State of Michigan switched Flint's drinking water source from the Great Lakes to the Flint River in order to save money, 2 years later, 2 years after lead has poured through the pipes into the bodies of children, you still can't drink the water in Flint.

If you came to Flint today, you would see families still lugging bottled water from distribution sites into their homes to drink, to cook, to bathe their children in bottled water. In the 21st century, in the greatest country on Earth, the wealthiest nation ever imagined, we have a city of 100,000 people that can't drink the water that comes from the tap because it is poisoned.

Federal standards require action if water gets above 15 parts per billion. Because the State of Michigan ignored the regulations and assured the public

that the water was safe, we have levels in Flint that have been tested not at 15 parts per billion, 150 parts per billion, 1500 parts per billion, 23,000 parts per billion in the city of Flint today, a year after this crisis became public.

How did this happen? It happened because State agencies decided that dollars and cents come before the health of people, ignored the regulations that are on the books, were prevented from explaining that to the people, and, in fact, told them a story that the water was safe. And a year later—a year later—the State has barely acted, sending Flint a get-well card. As many of you know, I have come to this well time and time again, imploring my colleagues to join me in providing some relief to the people of Flint.

I came here with a lot of folks in 2012, when I was elected. In 2013, one of the first votes I cast on the floor of the House of Representatives was to provide help, much-needed help to the victims of Hurricane Sandy. Not my district, none of that money flowed to my district, but I was proud—I am still proud of that vote because I and so many of us stood with Americans who were facing the biggest struggle they ever faced. Yet, a year later, in this poor community, which in many ways has been left behind before, you still can't drink the water in Flint, and we can't get even a little help to try to rebuild this community.

Look, time matters. We can't wait more months. Every day, every week that passes that this community does not get the help it needs just to make sure that this doesn't happen again, just to fix the distribution system, to replace some of those lead lines so that a year from now or 2 years from now this doesn't happen again and these children are poisoned again, at the very least, for God's sake, at the very least, we ought to be able to help this community provide its families with water that they can drink. That is all I am asking for.

Mr. Speaker, I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. WESTMORELAND). The gentleman from Michigan is recognized for 5 minutes.

Mr. WALBERG. Mr. Speaker, I am going to say from the outset, I certainly appreciate my good friend. I want to join, as I have all along, in support for my good friend and colleague from Flint in making sure that we do something about what has gone on there, the pain and suffering that they have gone through needlessly.

I am proud to say that I have been supportive and have traveled to Flint and have been supportive of the legislation we have moved from this House. We look forward when we hear possible good reports of optimism that something will be coming from the Senate, that we will do something further in dealing with that problem. I want to stand with my friend on that.

I think there are questions that have to be addressed relative to public health, but in this legislation, that goes way outside of what we are talking about. First of all, in committee, as well as in the Committee on Rules, this amendment wasn't offered. I think it wasn't because it didn't need to be.

Nothing in this legislation precludes an agency from communicating on these issues, whether it be lead poisoning in the water, Zika, or opioid abuse. Nothing precludes that from taking place. In fact, that is what we are encouraging, when agencies are promulgating a rule and a proposed rule has been put forward that they put forward the facts. That is all.

They have a power way beyond the general public to get information out, but, in turn, the general public ought to know that when they have an opportunity for public comment that agencies will honestly listen to what they are offering, and that the American public and American free enterprise system will be heard, and then the opportunity for Congress to interact as well with the bureaucratic agencies, and ultimately a rule will be promulgated and put in place that makes sense for all concerned, and people are protected.

That is what this bill does. It goes against agencies such as EPA. On the waters of the U.S., EPA and organizations should have been assisting Michigan and their environmental protection entities in dealing with issues of lead poisoning. Rather, on waters of the U.S., they were putting out releases, public statements through media, social media, saying: “Choose clean water,” “clean water is important to me,” “I support EPA's efforts to protect my health, my family, and my community.” Send that back in the rulemaking process. They were lobbying, and we have laws against that. This beefs that up and makes it very clear that the bureaucracy will listen to us to meet our needs, to make sure we are taken care of, and ultimately society works well.

Mr. Speaker, I encourage my colleagues to oppose this motion to recommit and vote against it, vote it down.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 238, not voting 8, as follows:

[Roll No. 509]

AYES—185

Adams Frankel (FL) Murphy (FL)
 Aguilar Fudge Nadler
 Ashford Gabbard Napolitano
 Bass Gallego Neal
 Beatty Garamendi Nolan
 Becerra Graham Norcross
 Bera Grayson O'Rourke
 Beyer Green, Al Pallone
 Bishop (GA) Green, Gene Pascrell
 Blum Grijalva Payne
 Blumenauer Gutiérrez Pelosi
 Bonamici Hahn Perlmutter
 Boyle, Brendan Hastings Peters
 F, Heck (WA) Peterson
 Brady (PA) Higgins Pingree
 Brown (FL) Himes Pocan
 Brownley (CA) Hinojosa Polis
 Bustos Honda Price (NC)
 Butterfield Hoyer Quigley
 Capps Huffman Rangel
 Capuano Israel Rice (NY)
 Cárdenas Jackson Lee Richmond
 Carney Jeffries Roybal-Allard
 Carson (IN) Johnson (GA) Ruiz
 Cartwright Johnson, E. B. Ruppersberger
 Castor (FL) Jones Ryan (OH)
 Castro (TX) Kaptur Sánchez, Linda
 Chu, Judy Keating T.
 Cicilline Kelly (IL) Sanchez, Loretta
 Clark (MA) Kennedy Sarbanes
 Clarke (NY) Kildee Schakowsky
 Clay Kilmer Schiff
 Cleaver Kind Schrader
 Clyburn Kirkpatrick Scott (VA)
 Cohen Kuster Scott, David
 Connolly Langevin Serrano
 Conyers Larsen (WA) Sewell (AL)
 Cooper Larson (CT) Sherman
 Costa Lawrence Sinema
 Courtney Lee Sires
 Crowley Levin Slaughter
 Cuellar Lewis Smith (WA)
 Cummings Lieu, Ted Speier
 Davis (CA) Lipinski Swalwell (CA)
 Davis, Danny Loeb sack Takano
 DeFazio Lofgren Thompson (CA)
 DeGette Lowenthal Titus
 Delaney Lofgren Tonko
 DeLauro Lujan Grisham Torres
 DelBene (NM) Tsongas
 DeSaulnier Luján, Ben Ray Van Hollen
 Deutch (NM) Vargas
 Dingell Lynch Veasey
 Doggett Maloney Vela
 Doyle, Michael Carolyn Velázquez
 F, Maloney, Sean Visclosky
 Duckworth Matsui Walz
 Edwards McCollum Wasserman
 Ellison McDermott Schultz
 Engel McGovern Waters, Maxine
 Eshoo McNeerney Watson Coleman
 Esty Meeks Welch
 Farr Moore Wilson (FL)
 Foster Moulton Yarmuth

NOES—238

Abraham Chabot Fitzpatrick
 Aderholt Chaffetz Fleischmann
 Allen Clawson (FL) Fleming
 Amash Coffman Flores
 Amodei Cole Forbes
 Babin Collins (GA) Fortenberry
 Barletta Collins (NY) Foxx
 Barr Comstock Franks (AZ)
 Barton Conaway Frelinghuysen
 Benishek Cook Garrett
 Bilirakis Costello (PA) Gibbs
 Bishop (MI) Cramer Gibson
 Bishop (UT) Crawford Gohmert
 Black Crenshaw Goodlatte
 Blackburn Culberson Gosar
 Bost Curbelo (FL) Gowdy
 Boustany Davidson Granger
 Brady (TX) Davis, Rodney Graves (GA)
 Brat Denham Graves (LA)
 Bridenstine Dent Graves (MO)
 Brooks (AL) DeSantis Griffith
 Brooks (IN) Diaz-Balart Grothman
 Buchanan Dold Guinta
 Buck Donovan Guthrie
 Buoshon Duffy Hanna
 Burgess Duncan (SC) Hardy
 Byrne Duncan (TN) Harper
 Calvert Ellmers (NC) Harris
 Carter (GA) Emmer (MN) Hartzler
 Carter (TX) Farenthold Heck (NV)

Hensarling McMorris Russell
 Herrera Beutler Rodgers Salmon
 Hice, Jody B. McSally Sanford
 Hill Meadows Scalise
 Holding Meehan Schweikert
 Hudson Mica Scott, Austin
 Huelskamp Miller (FL) Sensenbrenner
 Huizenga (MI) Miller (MI) Sessions
 Hultgren Moolenaar Shimkus
 Hunter Mooney (WV) Shuster
 Hurd (TX) Mullin Simpson
 Hurt (VA) Mulvaney Smith (MO)
 Issa Murphy (PA) Smith (NJ)
 Jenkins (KS) Neugebauer Smith (TX)
 Jenkins (WV) Newhouse Stefanik
 Johnson (OH) Noem Stewart
 Jolly Nugent Stivers
 Jordan Nunes Stutzman
 Joyce Olson Thompson (PA)
 Katko Palmer Paulsen
 Kelly (MS) Pearce Thornberry
 Kelly (PA) Perry Tiberi
 King (IA) Pittenger Tipton
 King (NY) Pitts Trotter
 Kinzinger (IL) Poe (TX) Turner
 Kline Poliquin Upton
 Knight Pompeo Valadao
 Labrador Posey Wagner
 LaHood Price, Tom Walberg
 LaMalfa Ratcliffe Walden
 Lamborn Reed Walker
 Lance Reichert Walorski
 Latta Renacci Weber (TX)
 LoBiondo Ribble Webster (FL)
 Long Rice (SC) Wenstrup
 Loudermilk Rigell Westerman
 Love Roby Westmoreland
 Lucas Roe (TN) Williams
 Luetkemeyer Rogers (AL) Wilson (SC)
 Lummis Rogers (KY) Wittman
 MacArthur Rohrabacher Womack
 Marchant Rokita Woodall
 Marino Rooney (FL) Yoder
 Massie Ros-Lehtinen Yoho
 McCarthy Roskam Young (AK)
 McCaul Ross Young (IA)
 McClintock Rothfus Young (IN)
 McHenry Rouzer Zeldin
 McKinley Royce Zinke

NOT VOTING—8

DesJarlais Meng Rush
 Fincher Messer Thompson (MS)
 Johnson, Sam Palazzo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1715

Mr. TROTT changed his vote from “aye” to “no.”
 So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 171, not voting 10, as follows:

[Roll No. 510]

AYES—250

Abraham Barletta Bishop (UT)
 Aderholt Barr Black
 Allen Barton Blackburn
 Amash Benishek Blum
 Amodei Bilirakis Bost
 Ashford Bishop (GA) Boustany
 Babin Bishop (MI) Brady (TX)

Brat Bridenstine Hill
 Brooks (AL) Holding Price, Tom
 Brooks (IN) Hudson Ratcliffe
 Buchanan Huelskamp Reed
 Buck Huizenga (MI) Reichert
 Buoshon Hultgren Renacci
 Burgess Hunter Ribble
 Byrne Hurd (TX) Rice (SC)
 Calvert Hurt (VA) Rigell
 Carter (GA) Jones Issa
 Carter (TX) Jenkins (KS) Roby
 Chabot Jenkins (WV) Roe (TN)
 Chaffetz Rogers (AL)
 Clawson (FL) Johnson (OH) Rogers (KY)
 Coffman Jolly Rohrabacher
 Cole Jones Rokita
 Collins (GA) Jordan Rooney (FL)
 Collins (NY) Joyce Ros-Lehtinen
 Comstock Katko Roskam
 Conaway Kelly (MS) Ross
 Cook Kelly (PA) Rothfus
 Cooper King (IA) Rouzer
 Costa King (NY) Royce
 Costello (PA) Kinzinger (IL) Russell
 Cramer Kline Salmon
 Crawford LaHood Sanford
 Cuellar LaMalfa Scalise
 Culberson Lamborn Schrader
 Curbelo (FL) Lance Schweikert
 Davidson Latta Scott, David
 Davis, Rodney LoBiondo Sensenbrenner
 Denham Long Sessions
 Dent Loudermilk Shimkus
 DeSantis Love Shuster
 Diaz-Balart Lucas Simpson
 Dold Luetkemeyer Sinema
 Donovan Smith (MO)
 Duffy MacArthur Smith (NE)
 Duncan (SC) Marchant Smith (NJ)
 Duncan (TN) Marino Smith (TX)
 Ellmers (NC) Massie Stefanik
 Emmer (MN) McCarthy Stewart
 Farenthold McCaul Stivers
 Fitzpatrick McClintock Stutzman
 McHenry McHenry Thompson (PA)
 McKinley McKinley Thornberry
 Forbes McMorris Tiberi
 Fortenberry Rodgers Tipton
 Foxx McSally Trott
 Franks (AZ) Meadows Turner
 Frelinghuysen Meehan Upton
 Garrett Messer Valadao
 Gibbs Mica Vela
 Gibson Miller (FL) Wagner
 Gohmert Miller (MI) Walberg
 Goodlatte Moolenaar Walden
 Gosar Mooney (WV) Walker
 Gowdy Mullin Walorski
 Granger Mulvaney Walters, Mimi
 Graves (GA) Murphy (PA) Weber (TX)
 Graves (LA) Neugebauer Webster (FL)
 Graves (MO) Noem Wenstrup
 Griffith Nugent Westerman
 Grothman Nunes Westmoreland
 Guinta Olson Williams
 Guthrie Palmer Wilson (SC)
 Hanna Paulsen Wittman
 Hardy Paulsen Womack
 Harper Pearce Woodall
 Harris Perry Yoder
 Hartzler Peterson Yoho
 Heck (NV) Pittenger Young (AK)
 Hensarling Pitts Young (IA)
 Herrera Beutler Poe (TX) Young (IN)
 Hice, Jody B. Poliquin Zeldin
 Pompeo Pompee Zinke

NOES—171

Adams Carson (IN) Delaney
 Aguilar Cartwright DeLauro
 Bass Castor (FL) DelBene
 Beatty Castro (TX) DeSaulnier
 Becerra Chu, Judy Deutch
 Bera Cicilline Dingell
 Beyer Clark (MA) Doggett
 Blumenauer Clarke (NY) Doyle, Michael
 Bonamici Clay F.
 Boyle, Brendan Cleaver Duckworth
 F, Clyburn Edwards
 Brady (PA) Cohen Ellison
 Brown (FL) Connolly Engel
 Brownley (CA) Conyers Eshoo
 Bustos Crowley Esty
 Butterfield Cummings Farr
 Capps Davis (CA) Foster
 Capuano Davis, Danny Frankel (FL)
 Cárdenas DeFazio Fudge
 Carney DeGette Gabbard

Gallego	Loeb	Roybal-Allard
Garamendi	Lofgren	Ruiz
Graham	Lowenthal	Ruppersberger
Grayson	Lowey	Ryan (OH)
Green, Al	Lujan Grisham	Sánchez, Linda
Green, Gene	(NM)	T.
Grijalva	Luján, Ben Ray	Sanchez, Loretta
Gutiérrez	(NM)	Sarbanes
Hahn	Lynch	Schakowsky
Hastings	Maloney,	Schiff
Heck (WA)	Carolyn	Scott (VA)
Higgins	Maloney, Sean	Serrano
Himes	Matsui	Sewell (AL)
Hinojosa	McCollum	Sherman
Honda	McDermott	Sires
Hoyer	McGovern	Slaughter
Huffman	McNerney	Smith (WA)
Israel	Meeks	Speier
Jackson Lee	Moore	Swalwell (CA)
Jeffries	Moulton	Takano
Johnson (GA)	Murphy (FL)	Thompson (CA)
Johnson, E. B.	Nadler	Titus
Kaptur	Napolitano	Tonko
Keating	Neal	Torres
Kelly (IL)	Nolan	Tsongas
Kennedy	Norcross	Van Hollen
Kildee	O'Rourke	Vargas
Kilmer	Pallone	Veasey
Kind	Pascarella	Velázquez
Kirkpatrick	Payne	Visclosky
Kuster	Pelosi	Walz
Langevin	Perlmutter	Wasserman
Larsen (WA)	Peters	Schultz
Larson (CT)	Pingree	Waters, Maxine
Lawrence	Pocan	Watson Coleman
Lee	Polis	Welch
Levin	Price (NC)	Wilson (FL)
Lewis	Quigley	Yarmuth
Lieu, Ted	Rangel	
Lipinski	Rice (NY)	

NOT VOTING—10

Courtney	Johnson, Sam	Rush
Crenshaw	Meng	Thompson (MS)
DesJarlais	Palazzo	
Fincher	Richmond	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1721

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Pursuant to House Resolution 859 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5620.

Will the gentleman from Georgia (Mr. WESTMORELAND) kindly take the chair.

□ 1723

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today,

amendment No. 22 printed in House Report 114-742 offered by the gentleman from Florida (Mr. MILLER) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-742 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WALZ of Minnesota.

Amendment No. 3 by Mr. TAKANO of California.

Amendment No. 5 by Ms. KUSTER of New Hampshire.

Amendment No. 15 by Mr. TAKANO of California.

Amendment No. 19 by Mr. TAKANO of California.

Amendment No. 20 by Mr. TAKANO of California.

Amendment No. 21 by Mr. DUFFY of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WALZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. WALZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 250, not voting 8, as follows:

[Roll No. 511]

AYES—173

Adams	Cooper	Green, Al
Bass	Costa	Green, Gene
Beatty	Courtney	Grijalva
Becerra	Crowley	Gutiérrez
Beyer	Cummings	Hahn
Bishop (GA)	Davis (CA)	Hastings
Blumenauer	Davis, Danny	Heck (WA)
Bonamici	DeFazio	Higgins
Boyle, Brendan	DeGette	Himes
F.	Delaney	Hinojosa
Brady (PA)	DeLauro	Honda
Brown (FL)	DelBene	Hoyer
Brownley (CA)	DeSaulnier	Huffman
Butterfield	Deutch	Israel
Capps	Dingell	Jackson Lee
Capuano	Doggett	Jeffries
Cárdenas	Doyle, Michael	Johnson, E. B.
Carney	F.	Kaptur
Carson (IN)	Edwards	Keating
Cartwright	Ellison	Kelly (IL)
Castor (FL)	Engel	Kennedy
Castro (TX)	Eshoo	Kildee
Chu, Judy	Esty	Kilmer
Cicilline	Farr	Kind
Clark (MA)	Foster	Kirkpatrick
Clarke (NY)	Frankel (FL)	Kuster
Clay	Fudge	Langevin
Cleaver	Gabbard	Larsen (WA)
Clyburn	Gallego	Larson (CT)
Cohen	Garamendi	Lawrence
Connolly	Graham	Lee
Conyers	Grayson	Levin

Lewis	O'Rourke	Serrano
Lieu, Ted	Pallone	Sewell (AL)
Lipinski	Pascarella	Sherman
Loeb	Payne	Sires
Lofgren	Pelosi	Slaughter
Lowenthal	Perlmutter	Smith (WA)
Lowey	Peterson	Speier
Lujan Grisham	Pingree	Swalwell (CA)
(NM)	Pocan	Takano
Luján, Ben Ray	Polis	Thompson (CA)
(NM)	Price (NC)	Titus
Lynch	Quigley	Tonko
Maloney,	Rangel	Torres
Carolyn	Rice (NY)	Tsongas
Matsui	Richmond	Van Hollen
McCollum	Roybal-Allard	Vargas
McDermott	Ruiz	Veasey
McGovern	Ruppersberger	Vela
McNerney	Ryan (OH)	Velázquez
Meeks	Sánchez, Linda	Visclosky
Moore	T.	Walz
Moulton	Sanchez, Loretta	Wasserman
Murphy (FL)	Sarbanes	Schultz
Nadler	Schakowsky	Waters, Maxine
Napolitano	Schiff	Watson Coleman
Neal	Schrader	Welch
Nolan	Scott (VA)	Wilson (FL)
Norcross	Scott, David	Yarmuth

NOES—250

Abraham	Fleming	MacArthur
Aderholt	Flores	Maloney, Sean
Aguilar	Forbes	Marchant
Allen	Fortenberry	Marino
Amash	Fox	Masie
Amodei	Franks (AZ)	McCarthy
Ashford	Frelinghuysen	McCaul
Babin	Garrett	McClintock
Barletta	Gibbs	McHenry
Barr	Gibson	McKinley
Barton	Gohmert	McMorris
Benishek	Goodlatte	Rodgers
Bera	Gosar	McSally
Bilirakis	Gowdy	Meadows
Bishop (MI)	Granger	Meehan
Bishop (UT)	Graves (GA)	Messer
Black	Graves (LA)	Mica
Blackburn	Graves (MO)	Miller (FL)
Blum	Griffith	Miller (MI)
Bost	Grothman	Moolenaar
Boustany	Guinta	Mooney (WV)
Brady (TX)	Guthrie	Mullin
Brat	Hanna	Mulvaney
Bridenstine	Hardy	Murphy (PA)
Brooks (AL)	Harper	Neugebauer
Brooks (IN)	Harris	Newhouse
Buchanan	Hartzler	Noem
Buck	Heck (NV)	Nugent
Bucshon	Hensarling	Nunes
Burgess	Herrera Beutler	Olson
Bustos	Hice, Jody B.	Palmer
Byrne	Hill	Paulsen
Calvert	Holding	Pearce
Carter (GA)	Huelskamp	Perry
Carter (TX)	Huizenga (MI)	Peters
Chabot	Hultgren	Pittenger
Chaffetz	Hunter	Pitts
Clawson (FL)	Hurd (TX)	Poe (TX)
Coffman	Hurt (VA)	Poliquin
Cole	Issa	Pompeo
Collins (GA)	Jenkins (KS)	Posey
Collins (NY)	Jenkins (WV)	Price, Tom
Comstock	Johnson (GA)	Ratcliffe
Conaway	Johnson (OH)	Reed
Cook	Jolly	Reichert
Costello (PA)	Jones	Renacci
Cramer	Jordan	Ribble
Crawford	Joyce	Rice (SC)
Crenshaw	Katko	Rigell
Cuellar	Kelly (MS)	Roby
Culberson	Kelly (PA)	Roe (TN)
Curbelo (FL)	King (IA)	Rogers (AL)
Davidson	King (NY)	Rogers (KY)
Davis, Rodney	Kinzinger (IL)	Rohrabacher
Denham	Kline	Rokita
Dent	Knight	Rooney (FL)
DeSantis	Labrador	Ros-Lehtinen
Diaz-Balart	LaHood	Roskam
Dold	LaMalfa	Ross
Donovan	Lamborn	Rothfus
Duckworth	Lance	Rouzer
Duffy	Latta	Royle
Duncan (SC)	LoBiondo	Russell
Duncan (TN)	Long	Salmon
Ellmers (NC)	Loudermilk	Sanford
Emmer (MN)	Love	Scalise
Farenthold	Lucas	Schweikert
Fitzpatrick	Luetkemeyer	Scott, Austin
Fleischmann	Lummis	Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup

Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

DesJarlais
Fincher
Hudson

Johnson, Sam
Meng
Palazzo

Rush
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1727

Mr. GARRETT changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 7, as follows:

[Roll No. 512]

AYES—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen

Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson

Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted

Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke

Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy

Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy

McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)

Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton

Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams

Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

DesJarlais
Fincher
Grothman

Johnson, Sam
Palazzo
Pittenger

Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1730

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. KUSTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Hampshire (Ms. KUSTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 236, not voting 12, as follows:

[Roll No. 513]

AYES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Costa
Crowley
Cuellar
Cummings

Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer

Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern

McNerney	Rangel	Swalwell (CA)	Walters, Mimi	Williams	Yoho	Garrett	Lowenthal	Roskam
Meeks	Rice (NY)	Takano	Weber (TX)	Wilson (SC)	Young (AK)	Gibbs	Lowey	Ross
Meng	Richmond	Thompson (CA)	Webster (FL)	Wittman	Young (IA)	Gibson	Lucas	Rothfus
Moore	Roybal-Allard	Thompson (MS)	Wenstrup	Womack	Young (IN)	Gohmert	Luetkemeyer	Rouzer
Moulton	Ruiz	Titus	Westerman	Woodall	Zeldin	Goodlatte	Lujan Grisham (NM)	Roybal-Allard
Murphy (FL)	Ruppersberger	Tonko	Westmoreland	Yoder	Zinke	Gosar	Maloney,	Royce
Nadler	Ryan (OH)	Torres				Gowdy	Luján, Ben Ray (NM)	Ruiz
Napolitano	Salmon	Tsongas				Graham	Lummis	Ruppersberger
Neal	Sánchez, Linda T.	Van Hollen	Blackburn	DesJarlais	Palazzo	Granger	Lynch	Russell
Nolan	Sanchez, Loretta	Vargas	Conyers	Fincher	Rohrabacher	Graves (GA)	MacArthur	Ryan (OH)
Norcross	Sarbanes	Veasey	Courtney	Hudson	Rush	Graves (LA)	Maloney,	Salmon
O'Rourke	Schakowsky	Vela	Davidson	Johnson, Sam	Smith (NJ)	Graves (MO)	Carolyn T.	Sánchez, Linda T.
Pallone	Schiff	Velázquez				Grayson	Maloney, Sean	Sanchez, Loretta
Pascrell	Schrader	Visclosky				Green, Al	Marchant	Sanford
Payne	Scott (VA)	Walz				Green, Gene	Marino	Sarbanes
Pelosi	Scott, David	Wasserman				Griffith	Massie	Scalise
Perlmutter	Serrano	Schultz				Grijalva	Matsui	Schakowsky
Peters	Sewell (AL)	Waters, Maxine				Grothman	McCarthy	Schiff
Peterson	Sherman	Watson Coleman				Guinta	McCaul	Schrader
Pingree	Sires	Welch				Guthrie	McClintock	Schweikert
Pocan	Slaughter	Wilson (FL)				Gutiérrez	McCollum	Scott (VA)
Polis	Smith (WA)	Yarmuth				Hahn	McDermott	Scott, Austin
Price (NC)	Speier					Hanna	McGovern	Scott, David
Quigley						Hardy	McHenry	Sensenbrenner
						Harper	McKinley	Serrano
						Harris	McMorris	Sessions
						Hartzler	Rodgers	Sewell (AL)
						Hastings	McNerney	Sherman
						Heck (NV)	McSally	Shinkus
						Heck (WA)	Meadows	Shuster
						Hensarling	Meehan	Simpson
						Herrera Beutler	Meeks	Sinema
						Hice, Jody B.	Meng	Sires
						Higgins	Messer	Slaughter
						Hill	Mica	Smith (MO)
						Himes	Miller (FL)	Smith (NE)
						Hinojosa	Miller (MI)	Smith (NJ)
						Holding	Moolenaar	Smith (TX)
						Honda	Mooney (WV)	Smith (WA)
						Hoyer	Moore	Speier
						Hudson	Moulton	Stefanik
						Huelskamp	Mullin	Stewart
						Huffman	Mulvaney	Stivers
						Huizenga (MI)	Murphy (FL)	Stutzman
						Hultgren	Murphy (PA)	Swalwell (CA)
						Hunter	Nadler	Takano
						Hurd (TX)	Napolitano	Thompson (CA)
						Hurt (VA)	Neal	Thompson (MS)
						Israel	Neugebauer	Thompson (PA)
						Issa	Newhouse	Thornberry
						Jackson Lee	Noem	Tiberi
						Jeffries	Nolan	Tipton
						Jenkins (KS)	Norcross	Titus
						Jenkins (WV)	Nugent	Tonko
						Johnson (GA)	Nunes	Torres
						Johnson (OH)	O'Rourke	Trott
						Johnson, E. B.	Olson	Tsongas
						Jolly	Pallone	Turner
						Jones	Palmer	Upton
						Jordan	Pascrell	Valadao
						Joyce	Paulsen	Van Hollen
						Kaptur	Payne	Vargas
						Katko	Pearce	Veasey
						Keating	Pelosi	Vela
						Kelly (IL)	Perlmutter	Velázquez
						Kelly (MS)	Perry	Visclosky
						Kelly (PA)	Peters	Wagner
						Kennedy	Peterson	Walberg
						Kildee	Pingree	Walden
						Kilmer	Pittenger	Walker
						Kind	Pitts	Walorski
						King (IA)	Pocan	Walters, Mimi
						King (NY)	Poe (TX)	Walz
						Kinzing (IL)	Poliquin	Wasserman
						Kirkpatrick	Polis	Schultz
						Kline	Pompeo	Waters, Maxine
						Knight	Posey	Watson Coleman
						Kuster	Price (NC)	Weber (TX)
						Labrador	Price, Tom	Webster (FL)
						LaHood	Quigley	Rangel
						LaMalfa	Rangel	Ratcliffe
						Lamborn	Reed	Reichert
						Lance	Larsen (WA)	Renacci
						Langevin	Larson (CT)	Ribble
						Latta	Lawrence	Rice (NY)
						Lee	Lee	Rice (SC)
						Levin	Richmond	Womack
						Lewis	Rigell	Woodall
						Lieu, Ted	Roby	Yarmuth
						Lipinski	Roe (TN)	Yoder
						LoBiondo	Rogers (AL)	Yoho
						Loebach	Rogers (KY)	Young (AK)
						Lofgren	Rohrabacher	Young (IA)
						Long	Rokita	Young (IN)
						Loudermilk	Rooney (FL)	Zeldin
						Love	Ros-Lehtinen	Zinke

NOT VOTING—12

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1734

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. TAKANO
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from California (Mr.
TAKANO) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE
The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 426, noes 0,
not voting 5, as follows:

[Roll No. 514]

AYES—426

Abraham	Gosar	Miller (MI)	Abraham	Calvert	Davis, Rodney
Aderholt	Gowdy	Moolenaar	Calvert	DeFazio	DeFazio
Allen	Granger	Mooney (WV)	Adams	DeGette	DeGette
Amash	Graves (GA)	Mullin	Aderholt	Delaney	Delaney
Amodei	Graves (LA)	Mulvaney	Aguilar	DeLauro	DeLauro
Babin	Graves (MO)	Murphy (PA)	Allen	DelBene	DelBene
Barletta	Griffith	Neugebauer	Amash	Carter (GA)	Carter (GA)
Barr	Grothman	Newhouse	Amodei	Carter (TX)	Carter (TX)
Barton	Guinta	Noem	Ashford	Cartwright	Cartwright
Benishek	Guthrie	Nugent	Babin	Castor (FL)	Castor (FL)
Bilirakis	Hanna	Nunes	Barletta	Castro (TX)	Castro (TX)
Bishop (MI)	Hardy	Olson	Barr	Chabot	Chabot
Bishop (UT)	Harper	Palmer	Barton	Chaffetz	Chaffetz
Black	Harris	Paulsen	Bass	Chu, Judy	Chu, Judy
Blum	Hartzler	Pearce	Beatty	Cioccine	Cioccine
Bost	Heck (NV)	Perry	Becerra	Clark (MA)	Clark (MA)
Boustany	Hensarling	Pittenger	Benishek	Clarke (NY)	Clarke (NY)
Brady (TX)	Herrera Beutler	Pitts	Bera	Clawson (FL)	Clawson (FL)
Brat	Hice, Jody B.	Poe (TX)	Beyer	Clay	Clay
Bridenstine	Hill	Poliquin	Bilirakis	Cleaver	Cleaver
Brooks (AL)	Holding	Pompeo	Bishop (GA)	Clyburn	Clyburn
Brooks (IN)	Huelskamp	Posey	Bishop (MI)	Coffman	Coffman
Buchanan	Huizenga (MI)	Price, Tom	Bishop (UT)	Cohen	Cohen
Buck	Hultgren	Ratcliffe	Black	Cole	Cole
Bucshon	Hunter	Reed	Blackburn	Collins (GA)	Collins (GA)
Burgess	Hurd (TX)	Reichert	Blum	Collins (NY)	Collins (NY)
Byrne	Hurt (VA)	Renacci	Blumenauer	Comstock	Comstock
Calvert	Issa	Ribble	Bonamici	Conaway	Conaway
Carter (GA)	Jenkins (KS)	Rice (SC)	Bost	Connolly	Connolly
Carter (TX)	Jenkins (WV)	Rigell	Boustany	Conyers	Conyers
Chabot	Johnson (OH)	Roby	Boyle, Brendan F.	Cook	Cook
Chaffetz	Jolly	Roe (TN)	Brady (PA)	Cooper	Cooper
Clawson (FL)	Jones	Rogers (AL)	Brady (TX)	Costa	Costa
Coffman	Jordan	Rogers (KY)	Brat	Costello (PA)	Costello (PA)
Cole	Joyce	Rokita	Bridenstine	Courtney	Courtney
Collins (GA)	Katko	Rooney (FL)	Brooks (AL)	Cramer	Cramer
Collins (NY)	Kelly (MS)	Ros-Lehtinen	Brooks (IN)	Crawford	Crawford
Comstock	Kelly (PA)	Roskam	Brown (FL)	Crenshaw	Crenshaw
Conaway	King (IA)	Ross	Brownley (CA)	Cuellar	Cuellar
Cook	King (NY)	Rothfus	Buchanan	Culberson	Culberson
Costello (PA)	Kinzing (IL)	Rouzer	Buck	Cummings	Cummings
Cramer	Kline	Royce	Bucshon	Curbelo (FL)	Curbelo (FL)
Crawford	Knight	Russell	Burgess	Davidson	Davidson
Crenshaw	Labrador	Sanford	Bustos	Davis (CA)	Davis (CA)
Culberson	LaHood	Scalise	Butterfield	Davis, Danny	Davis, Danny
Curbelo (FL)	LaMalfa	Schweikert	Byrne		
Davis, Rodney	Lamborn	Scott, Austin			
Denham	Lance	Sensenbrenner			
Dent	Latta	Sessions			
DeSantis	LoBiondo	Shinkus			
Diaz-Balart	Long	Shuster			
Dold	Loudermilk	Simpson			
Donovan	Love	Sinema			
Duffy	Lucas	Smith (MO)			
Duncan (SC)	Luetkemeyer	Smith (NE)			
Duncan (TN)	Lummis	Smith (TX)			
Ellmers (NC)	MacArthur	Stefanik			
Emmer (MN)	Marchant	Stewart			
Farenthold	Marino	Stivers			
Fitzpatrick	Massie	Stutzman			
Fleischmann	McCarthy	Thompson (PA)			
Fleming	McCaul	Thornberry			
Flores	McClintock	Tiberi			
Forbes	McHenry	Tipton			
Fortenberry	McKinley	Trott			
Fox	McMorris	Turner			
Franks (AZ)	Rodgers	Upton			
Frelinghuysen	McSally	Valadao			
Garrett	Meadows	Wagner			
Gibbs	Meehan	Walberg			
Gibson	Messer	Walden			
Gohmert	Mica	Walker			
Goodlatte	Miller (FL)	Walorski			

NOT VOTING—5

DesJarlais Johnson, Sam Rush
Fincher Palazzo

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1738

Messrs. WESTMORELAND, ROGERS of Alabama, EMMER of Minnesota, and JOHNSON of Ohio changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 421, noes 1, not voting 9, as follows:

[Roll No. 515]

AYES—421

Abraham	Cárdenas	Dent
Adams	Carney	DeSantis
Aderholt	Carson (IN)	DeSaulnier
Aguilar	Carter (GA)	Deutch
Allen	Carter (TX)	Diaz-Balart
Amash	Cartwright	Dingell
Amodei	Castor (FL)	Doggett
Ashford	Castro (TX)	Dold
Babin	Chabot	Donovan
Barletta	Chaffetz	Doyle, Michael
Barr	Chu, Judy	F.
Barton	Cicilline	Duckworth
Bass	Clark (MA)	Duffy
Beatty	Clarke (NY)	Duncan (SC)
Becerra	Clawson (FL)	Duncan (TN)
Benishek	Clay	Edwards
Bera	Cleaver	Ellison
Beyer	Clyburn	Elmiers (NC)
Bilirakis	Coffman	Emmer (MN)
Bishop (GA)	Cohen	Engel
Bishop (MI)	Cole	Eshoo
Bishop (UT)	Collins (GA)	Esty
Black	Collins (NY)	Farenthold
Blackburn	Comstock	Fitzpatrick
Blum	Conaway	Fleischmann
Blumenauer	Connolly	Fleming
Bonamici	Conyers	Flores
Bost	Cook	Forbes
Boustany	Costa	Fortenberry
Boyle, Brendan	Costello (PA)	Foster
F.	Courtney	Fox
Brady (PA)	Cramer	Frankel (FL)
Brady (TX)	Crawford	Franks (AZ)
Brat	Crenshaw	Frelinghuysen
Bridenstine	Crowley	Fudge
Brooks (AL)	Cuellar	Gabbard
Brooks (IN)	Culberson	Gallo
Brown (FL)	Cummings	Garamendi
Brownley (CA)	Curbelo (FL)	Garrett
Buchanan	Gibson	Gibbs
Buck	Davis (CA)	Gohmert
Bucshon	Davis, Danny	Goodlatte
Burgess	Davis, Rodney	Gosar
Bustos	DeFazio	Gowdy
Butterfield	DeGette	Graham
Byrne	Delaney	Granger
Calvert	DeLauro	Graves (GA)
Capps	DelBene	Graves (LA)
Capuano	Denham	Graves (MO)

Grayson	Lummis	Roybal-Allard
Green, Al	Lynch	Royce
Green, Gene	MacArthur	Ruiz
Griffith	Maloney	Ruppersberger
Grijalva	Carolyn	Russell
Grothman	Maloney, Sean	Ryan (OH)
Guinta	Marchant	Salmon
Guthrie	Marino	Sánchez, Linda
Gutiérrez	Massie	T.
Hahn	Matsui	Sanchez, Loretta
Hanna	McCarthy	Sanford
Hardy	McCauley	Sarbanes
Harper	McClintock	Scalise
Harris	McCollum	Schakowsky
Hartzler	McDermott	Schiff
Hastings	McGovern	Schrader
Heck (NV)	McHenry	Schweikert
Heck (WA)	McKinley	Scott (VA)
Hensarling	McMorris	Scott, Austin
Herrera Beutler	Rodgers	Scott, David
Hice, Jody B.	McNerney	Sensenbrenner
Higgins	McSally	Serrano
Hill	Meadows	Sessions
Himes	Meehan	Sewell (AL)
Hinojosa	Meeks	Sherman
Holding	Meng	Shimkus
Honda	Messer	Shuster
Hoyer	Mica	Simpson
Hudson	Miller (FL)	Sinema
Huelskamp	Miller (MI)	Sires
Huffman	Moolenaar	Slaughter
Huizenga (MI)	Mooney (WV)	Smith (MO)
Hultgren	Moore	Smith (NJ)
Hunter	Moulton	Smith (TX)
Hurd (TX)	Mullin	Smith (WA)
Hurt (VA)	Mulvaney	Speier
Israel	Murphy (FL)	Stefanik
Issa	Murphy (PA)	Stewart
Jackson Lee	Nadler	Stivers
Jeffries	Napolitano	Stutzman
Jenkins (KS)	Neal	Swalwell (CA)
Jenkins (WV)	Neugebauer	Takano
Johnson (GA)	Newhouse	Thompson (CA)
Johnson (OH)	Noem	Thompson (MS)
Johnson, E. B.	Nolan	Thompson (PA)
Jolly	Norcross	Thornberry
Jones	Nugent	Tiberi
Jordan	Nunes	Tipton
Joyce	O'Rourke	Titus
Kaptur	Olson	Tonko
Katko	Pallone	Torres
Keating	Palmer	Trott
Kelly (IL)	Pascarella	Tsongas
Kelly (MS)	Paulsen	Turner
Kelly (PA)	Payne	Upton
Kennedy	Pearce	Valadao
Kildee	Pelosi	Van Hollen
Kilmer	Perlmutter	Vargas
Kind	Perry	Veasey
King (IA)	Peters	Vela
King (NY)	Peterson	Velázquez
Kinzinger (IL)	Pingree	Viscosky
Kirkpatrick	Pittenger	Wagner
Kline	Pitts	Walberg
Knight	Pocan	Walden
Kuster	Poe (TX)	Walker
Labrador	Poliquin	Walorski
LaHood	Polis	Walters, Mimi
LaMalfa	Pompeo	Walz
Lamborn	Posey	Wasserman
Lance	Price (NC)	Schultz
Langevin	Price, Tom	Waters, Maxine
Larsen (WA)	Quigley	Watson Coleman
Larson (CT)	Rangel	Weber (TX)
Latta	Ratcliffe	Webster (FL)
Lawrence	Reed	Welch
Lee	Reichert	Wenstrup
Levin	Renacci	Westerman
Lewis	Ribble	Westmoreland
Lieu, Ted	Rice (NY)	Williams
Lipinski	Rice (SC)	Wilson (FL)
LoBiondo	Richmond	Wilson (SC)
Loeb	Rigell	Wittman
Lofgren	Roby	Womack
Long	Roe (TN)	Woodall
Loudermilk	Rogers (AL)	Yarmuth
Love	Rogers (KY)	Yoder
Lowenthal	Rohrabacher	Yoho
Lowe	Rokita	Young (IA)
Lucas	Rooney (FL)	Young (IN)
Luetkemeyer	Ros-Lehtinen	Zeldin
Lujan Grisham	Roskam	Zinke
(NM)	Ross	
Lujan, Ben Ray	Rothfus	
(NM)	Rouzer	

NOES—1

Young (AK)

NOT VOTING—9

Cooper Fincher Palazzo
DesJarlais Gibbs Rush
Farr Johnson, Sam Smith (NE)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1742

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Chair, on roll-call No. 515, had I been present, I would have voted “aye.”

AMENDMENT NO. 20 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 421, noes 0, not voting 10, as follows:

[Roll No. 516]

AYES—421

Abraham	Capuano	DeLauro
Adams	Cárdenas	DelBene
Aderholt	Carney	Denham
Aguilar	Carson (IN)	Dent
Allen	Carter (GA)	DeSantis
Amash	Carter (TX)	DeSaulnier
Amodei	Cartwright	Deutch
Ashford	Castor (FL)	Diaz-Balart
Babin	Castro (TX)	Dingell
Barletta	Chabot	Doggett
Barr	Chaffetz	Dold
Barton	Chu, Judy	Donovan
Bass	Cicilline	Doyle, Michael
Beatty	Clark (MA)	F.
Becerra	Clarke (NY)	Duckworth
Benishek	Clawson (FL)	Duffy
Bera	Clay	Duncan (SC)
Beyer	Cleaver	Duncan (TN)
Bilirakis	Clyburn	Edwards
Bishop (GA)	Coffman	Ellison
Bishop (MI)	Cohen	Elmiers (NC)
Bishop (UT)	Cole	Emmer (MN)
Black	Collins (GA)	Engel
Blackburn	Collins (NY)	Eshoo
Blum	Comstock	Esty
Blumenauer	Conaway	Farenthold
Bonamici	Connolly	Fitzpatrick
Bost	Conyers	Fleischmann
Boustany	Cook	Fleming
Boyle, Brendan	Cooper	Flores
F.	Costa	Forbes
Brady (PA)	Costello (PA)	Fortenberry
Brady (TX)	Courtney	Foster
Brat	Cramer	Fox
Bridenstine	Crawford	Frankel (FL)
Brooks (AL)	Crenshaw	Franks (AZ)
Brooks (IN)	Crowley	Fudge
Brown (FL)	Cuellar	Gabbard
Brown (FL)	Culberson	Gallo
Brownley (CA)	Cummings	Garamendi
Buchanan	Curbelo (FL)	Garrett
Buck	Davidson	Gibbs
Bucshon	Davis (CA)	Gibson
Burgess	Davis, Danny	Gohmert
Bustos	Davis, Rodney	Goodlatte
Butterfield	DeFazio	Gosar
Byrne	DeGette	Gowdy
Capps	Delaney	Graham

Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)

Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCauley
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer

Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schradner
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cardenas
Carney
Carson (IN)

DesJarlais
Farr
Fincher
Frelinghuysen
Graves (LA)
Johnson, Sam
Palazzo
Peters
NOT VOTING—10

NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1745

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. DUFFY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 1, not voting 7, as follows:

[Roll No. 517]

AYES—423

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishak
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cardenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Ellison
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaunier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman

Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCauley
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer

Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schradner
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—1

Harris

NOT VOTING—7

DesJarlais	Palazzo	Welch
Fincher	Rush	
Johnson, Sam	Veasey	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1748

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROSLEHTINEN) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, and, pursuant to House Resolution 859, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. TITUS. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. TITUS. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Titus moves to recommit the bill H.R. 5620 to the Committee on Veterans' Affairs with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC. 11. DEFINITION OF SPOUSE FOR PURPOSES OF VETERAN BENEFITS TO REFLECT NEW STATE DEFINITIONS OF SPOUSE.

(a) DEFINITIONS.—Section 101 of title 38, United States Code is amended—

(1) in paragraph (3), by striking “of the opposite sex”; and

(2) in paragraph (31), by striking “of the opposite sex who is a wife or husband” and inserting “in a marriage recognized under section 103 of this title”.

(b) DETERMINATION.—Subsection (c) of section 103 of such title is amended to read as follows:

“(c)(1) For the purposes of all laws administered by the Secretary, the Secretary shall

recognize a marriage based on the law of the State where the marriage occurred. In the case of a marriage that occurred outside a State, the Secretary shall recognize the marriage if the marriage was lawful in the place where it occurred and could have been entered into under the laws of any State. Except in the case of a purported marriage deemed valid under subsection (a), the Secretary may not recognize more than one marriage for any person at the same time.

“(2) In this subsection, the term ‘State’ has the meaning given that the term in section 101(20) of this title, except that such term also includes the Commonwealth of the Northern Mariana Islands.”.

Mr. MILLER of Florida (during the reading). Madam Speaker, I rise to reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

Ms. TITUS (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Nevada is recognized for 5 minutes.

Ms. TITUS. Madam Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

The motion to recommit that I offer today is simple, straightforward, and long overdue. The amendment is a technical correction to update our Nation's laws to reflect the realities of the day by eliminating outdated, discriminatory language that is currently found in the U.S. Code.

Over a year ago, the Supreme Court ruled definitively on the question of equal protection for all citizens under the law. Their decision in *Obergefell v. Hodges* struck down discriminatory laws that defined marriage and made marriage equality the law of the land.

Following that decision, the Veterans Administration issued guidance to ensure that all legally married veterans and their spouses would have access to the full range of Federal benefits that they earned through their military service. Yet, title 38 of the U.S. Code, which governs the VA, still reflects decades-old language that does not meet the constitutional reality of today. This is why I am offering the motion to remove the sex-specific definition of “spouse” found in the VA Code.

Now, updating the U.S. Code is nothing new to this body. In 1986, Congress updated our Nation's laws to reflect the fact that not all veterans are men and not all veteran spouses are wives. Earlier this year, I would remind the House that we passed, by unanimous vote, a measure offered by my friend and colleague from New York, Congresswoman MENG, to remove discriminatory language on race found in the Code.

By passing this MTR, we can take yet another step to clean up our laws and recognize that all American veterans and their families are equal. Indeed, we owe it to those who have worn the uniform and to their loved ones to respect their service and their sacrifice in both word and in deed. So let's remove this discriminatory language and ensure that all veterans are provided the respect, the benefits, and the equal protection they deserve.

Accordingly, I would urge my colleagues on both sides of the aisle to have just a fraction of the courage that these brave American heroes have and vote for this motion to recommit.

Madam Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. MILLER of Florida. Madam Speaker, I claim the time in opposition to the gentlewoman's motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Madam Speaker, one thing that can be said about Ms. TITUS is she is consistent and she has tried every way possible in order to have this piece of legislation pass. Actually, it was debated and defeated in the committee when we had an opportunity to talk about this issue before.

There were 80 amendments that were offered on this particular piece of legislation. Twenty-two amendments were accepted, and as the Members have seen, a vast number of Democratic amendments were accepted and allowed to be debated on the floor.

This bill is about accountability. This bill is trying to give the Secretary the tools that he needs in order to hold people accountable. The problem that exists today at the Department of Veterans Affairs, as the Department Secretary has said and as other high-ranking officials at the Department have said, is it is almost impossible to hold somebody accountable or to fire somebody at the Department of Veterans Affairs.

Imagine this: a VA employee that was drunk went into an operating room, and it took almost a year in order to hold them accountable; a VA employee was a willing participant in an armed robbery in Puerto Rico, and after a lengthy and administrative battle where the employee was supported by the public employee unions, the employee was reinstated in their previous position and got no discipline at all.

The VA has not held anybody accountable for the \$2.5 billion budget shortfall that took place in 2015, and they have held nobody accountable for the \$1 billion cost overrun at the Aurora, Colorado, VA Medical Center.

This is about holding bad bureaucrats accountable. We don't need poison pills in this particular bill. We need

to move forward, and I urge my colleagues to oppose the MTR.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. TITUS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 239, not voting 7, as follows:

[Roll No. 518]

AYES—185

Adams	Fudge	Nadler
Aguilar	Gabbard	Napolitano
Ashford	Gallego	Neal
Bass	Garamendi	Nolan
Beatty	Graham	Norcross
Becerra	Grayson	O'Rourke
Bera	Green, Al	Pallone
Beyer	Green, Gene	Pascarella
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Pelosi
Bonamici	Hahn	Perlmutter
Boyle, Brendan	Hastings	Peters
F.	Heck (WA)	Peterson
Brady (PA)	Higgins	Pingree
Brown (FL)	Himes	Pocan
Brownley (CA)	Hinojosa	Polis
Bustos	Honda	Price (NC)
Butterfield	Hoyer	Quigley
Capps	Huffman	Rangel
Capuano	Israel	Rice (NY)
Cardenas	Jackson Lee	Richmond
Carney	Jeffries	Roybal-Allard
Carlson (IN)	Johnson (GA)	Ruiz
Cartwright	Johnson, E. B.	Ruppersberger
Castor (FL)	Kaptur	Ryan (OH)
Castro (TX)	Keating	Sánchez, Linda
Chu, Judy	Kelly (IL)	T.
Cicilline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildeer	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Schrader
Clyburn	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sherman
Costa	Lee	Sinema
Courtney	Levin	Sires
Crowley	Lewis	Slaughter
Cuellar	Lieu, Ted	Smith (WA)
Cummings	Lipinski	Speier
Davis (CA)	Loebsack	Swallow (CA)
Davis, Danny	Lofgren	Takano
DeFazio	Lowenthal	Thompson (CA)
DeGette	Lowey	Thompson (MS)
Delaney	Lujan Grisham	Titus
DeLauro	(NM)	Tonko
DelBene	Luján, Ben Ray	Torres
DeSaulnier	(NM)	Tsongas
Deutch	Lynch	Van Hollen
Dingell	Maloney	Vargas
Doggett	Carolyn	Veasey
Doyle, Michael	Maloney, Sean	Vela
F.	Matsui	Velázquez
Duckworth	McCollum	Visclosky
Edwards	McDermott	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Waters, Maxine
Esty	Meng	Watson Coleman
Farr	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth

NOES—239

Abraham	Griffith	Palmer
Aderholt	Grothman	Paulsen
Allen	Guinta	Pearce
Amash	Guthrie	Perry
Amodei	Hanna	Pittenger
Babin	Hardy	Pitts
Barletta	Harper	Poe (TX)
Barr	Harris	Poliquin
Barton	Hartzler	Pompeo
Benishek	Heck (NV)	Posey
Billirakis	Hensarling	Price, Tom
Bishop (MI)	Herrera Beutler	Ratcliffe
Bishop (UT)	Hice, Jody B.	Reed
Black	Hill	Reichert
Blackburn	Holding	Renacci
Blum	Hudson	Ribble
Bost	Huelskamp	Rice (SC)
Boustany	Huizenga (MI)	Rigell
Brady (TX)	Hultgren	Roe (TN)
Brat	Hunter	Rogers (AL)
Bridenstine	Hurd (TX)	Rogers (KY)
Brooks (AL)	Hurt (VA)	Rohrabacher
Brooks (IN)	Issa	Rokita
Buchanan	Jenkins (KS)	Rooney (FL)
Buck	Jenkins (WV)	Ros-Lehtinen
Bucshon	Johnson (OH)	Roskam
Burgess	Jolly	Ross
Byrne	Jones	Rothfus
Calvert	Jordan	Rouzer
Carter (GA)	Joyce	Royce
Carter (TX)	Katko	Russell
Chabot	Kelly (MS)	Salmon
Chaffetz	Kelly (PA)	Sanford
Clawson (FL)	King (IA)	Scalise
Coffman	King (NY)	Schweikert
Cole	Kinzing (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Sessions
Comstock	Labrador	Shimkus
Conaway	LaHood	Shuster
Cook	LaMalfa	Simpson
Costello (PA)	Lamborn	Smith (MO)
Cramer	Lance	Smith (NE)
Crawford	Latta	Smith (NJ)
Crenshaw	LoBiondo	Smith (TX)
Culberson	Long	Stefanik
Curbelo (FL)	Loudermilk	Stewart
Love	Lucas	Stivers
Lucas	Stutzman	Thompson (PA)
Luetkemeyer	Thornberry	Tiberi
Lummis	MacArthur	Tipton
DeSantis	MacIntock	Trott
Diaz-Balart	McHenry	Turner
Dold	McKinley	Upton
Donovan	McMorris	Valadao
Duffy	Rodgers	Wagner
Duncan (SC)	McSally	Walberg
Duncan (TN)	Meadows	Walden
Ellmers (NC)	Meehan	Walker
Emmer (MN)	Messer	Walorski
Farenthold	Mica	Walters, Mimi
Fitzpatrick	Miller (FL)	Weber (TX)
Fleischmann	Miller (MI)	Webster (FL)
Fleming	Mooleenaar	Wenstrup
Flores	Mooney (WV)	Westerman
Forbes	Mullin	Westmoreland
Fortenberry	Mulvaney	Williams
Fox	Murphy (PA)	Wilson (SC)
Frank (AZ)	Neugebauer	Wittman
Frelinghuysen	Newhouse	Womack
Garrett	Noem	Woodall
Gibbs	Nugent	Young (AK)
Gibson	Nunes	Young (IA)
Gohmert	Olson	Young (IN)
Goodlatte		Zeldin
Gosar		Zinke
Gowdy		
Granger		
Graves (GA)		
Graves (LA)		
Graves (MO)		

NOT VOTING—7

Davis, Rodney	Johnson, Sam	Rush
DesJarlais	Palazzo	
Fincher	Roby	

□ 1804

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. Madam Speaker, on rollcall No. 518, I was unavoid-

ably detained. Had I been present, I would have voted "nay."

Mrs. ROBY. Madam Speaker, on rollcall No. 518, I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TAKANO. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 310, nays 116, not voting 5, as follows:

[Roll No. 519]

YEAS—310

Abraham	Dold	Keating
Aderholt	Donovan	Kelly (MS)
Aguilar	Duckworth	Kelly (PA)
Allen	Duffy	Kennedy
Amash	Duncan (SC)	Kilmer
Amodei	Duncan (TN)	Kind
Ashford	Ellmers (NC)	King (IA)
Babin	Emmer (MN)	King (NY)
Barletta	Esty	Kinzing (IL)
Barr	Farenthold	Kirkpatrick
Barton	Fitzpatrick	Kline
Benishek	Fleischmann	Knight
Bera	Fleming	Kuster
Billirakis	Flores	Labrador
Bishop (GA)	Forbes	LaHood
Bishop (MI)	Fortenberry	LaMalfa
Bishop (UT)	Fox	Lamborn
Black	Franks (AZ)	Lance
Blackburn	Frelinghuysen	Langevin
Blum	Gabbard	Larson (CT)
Bost	Garamendi	Latta
Boustany	Garrett	Lipinski
Boyle, Brendan	Gibbs	LoBiondo
F.	Gibson	Loebsack
Brady (TX)	Gohmert	Long
Brat	Goodlatte	Loudermilk
Bridenstine	Gosar	Love
Brooks (AL)	Gowdy	Lowenthal
Brooks (IN)	Graham	Lucas
Brownley (CA)	Granger	Luetkemeyer
Buchanan	Graves (GA)	Lujan Grisham
Buck	Graves (LA)	(NM)
Bucshon	Graves (MO)	Luján, Ben Ray
Burgess	Grayson	(NM)
Bustos	Green, Al	Lummis
Byrne	Green, Gene	MacArthur
Calvert	Griffith	Maloney, Sean
Carney	Grothman	Marchant
Carter (GA)	Guinta	Marino
Carter (TX)	Guthrie	Massie
Castro (TX)	Hahn	McCarthy
Chabot	Hanna	McCauley
Chaffetz	Hardy	McClintock
Cicilline	Harper	McHenry
Clawson (FL)	Harris	McKinley
Coffman	Hartzler	McMorris
Cole	Heck (NV)	Rodgers
Collins (GA)	Heck (WA)	McNerney
Collins (NY)	Hensarling	McSally
Comstock	Herrera Beutler	Meadows
Conaway	Hice, Jody B.	Meehan
Cook	Hill	Messer
Cooper	Himes	Mica
Costa	Hinojosa	Miller (FL)
Costello (PA)	Holding	Miller (MI)
Courtney	Hudson	Mooleenaar
Cramer	Huelskamp	Mooney (WV)
Crawford	Huizenga (MI)	Moulton
Crenshaw	Hultgren	Mullin
Cuellar	Hunter	Mulvaney
Culberson	Hurd (TX)	Murphy (FL)
Curbelo (FL)	Hurt (VA)	Murphy (PA)
Davidson	Israel	Neal
Davis (CA)	Issa	Neugebauer
Davis, Rodney	Jenkins (KS)	Newhouse
DeFazio	Jenkins (WV)	Noem
Delaney	Johnson (OH)	Nugent
DeLauro	Jolly	Nunes
Dent	Jones	O'Rourke
DeSantis	Jordan	Olson
Diaz-Balart	Joyce	Palmer
Doggett	Kaptur	Paulsen
	Katko	Pearce

Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz

Ruppersberger
Russell
Ryan (OH)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Speier
Stefanik
Stewart
Stivers
Stutzman
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus

Trott
Tsongas
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—116

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Crowley
Cummings
Davis, Danny
DeGette
DeBene
DeSaulnier
Deutch
Dingell
Doyle, Michael
F.
Edwards
Ellison
Engel
Eshoo
Farr

Foster
Frankel (FL)
Fudge
Gallego
Grijalva
Gutiérrez
Hastings
Higgins
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kildee
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowey
Lynch
Maloney,
Carolyn
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Nadler
Napolitano
Nolan
Norcross
Pallone

Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (MS)
Tonko
Torres
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

DesJarlais
Fincher

Johnson, Sam
Palazzo

Rush

□ 1811

So the bill is passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3765

Mr. RANGEL. Madam Speaker, I ask unanimous consent to withdraw my name from H.R. 3765, the ADA Education and Reform Act of 2015.

The SPEAKER pro tempore (Ms. MCSALLY). Is there objection to the re-

quest of the gentleman from New York?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

RECOGNIZING CHASE BUSBY

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize the courageous Chase Busby from St. Simons Island, Georgia—a 3-year-old battling leukemia.

After Chase showed symptoms of a fairly common cold for about a month, his parents, Chris and Cassie, took him to the doctor for tests. Unfortunately, those tests showed that he had an acute type of childhood cancer found in bone marrow.

Since that time, Chase has gone through many more tests, medicines, and painful procedures, including chemotherapy. He is set to complete his treatment in 2018.

In true south Georgia fashion, I am proud to say that Chase's local community is rallying behind him. In his honor, on September 23, Redfern Village in St. Simons is hosting a block party called "Redfern Goes Gold," and the proceeds will go to funding childhood cancer research.

With September being National Childhood Cancer Awareness Month, I rise today to wish Chase Busby all the best in fighting this disease. Chase, we are here to support you every step of the way.

□ 1815

CELEBRATING MS. MAE CORA PETERSON'S 100TH BIRTHDAY

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Madam Speaker, I rise today to honor the 100th birthday of Ms. Mae Cora Peterson, a resident of Fort Worth, Texas, in the Stop Six, Carver Heights community.

Ms. Peterson was born on September 13, 1916, in Orangeburg, South Carolina, during the Jim Crow era. Understanding the value of education during the time of racial segregation, she attended and graduated from South Carolina State University. She went on to earn her master's degree from the University of Michigan. After graduation, she volunteered with the YWCA and was offered a full-time job in the city

of her choice. She took on the position of executive director at a segregated branch in Fort Worth.

She continued her passion to serve youth and later served as the dean of girls and vice principal at Dunbar High School, where she worked for 27 years. In addition to her civic duties, Ms. Peterson is also the oldest active living member of the Delta Sigma Theta Sorority, Inc.

Madam Speaker, I rise to give tribute to my good friend, Ms. Mae Cora Peterson.

NO LAMEDUCK VOTE ON TPP

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise today to call on Congress to rule out an end-of-the-year lameduck end-run vote on the Trans-Pacific Partnership.

No other time in the Congress is less accountable to the people who entrust us to represent their interests than the period between election and the swearing in of a new Congress in January. That is why it is called lameduck.

Retiring Members or those who lost elections still have a say. And whose interests are they more likely to represent?

Sometimes corporate interests weigh in with tantalizing offers of high-dollar remuneration on their retirement. Or for those fresh off an election, a lameduck can present pressures from donors who funded their campaigns.

In 2000, I watched this scenario play out when the permanent normal trade relations with China, unfortunately, passed. For China's PNTR vote, look at Texas. The President secured at least five Members' votes by promising an environmental cleanup of a military factory, a study on job losses due to imports, and finalized an EPA study for a pipeline.

And what happened to those promises?

Nothing. In fact, the factory closed with the district losing 5,000 jobs.

Madam Speaker, we have been told time and again that free trade deals create jobs, but they outsource our jobs instead. Americans deserve a vote from accountable, elected Representatives. No lameduck TPP vote.

AMERICAN FREEDOMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. GIBSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. GIBSON. Madam Speaker, this evening I will be joined with three other veterans, and among the four of us are three airborne Ranger-qualified veterans and one Navy SEAL. We will be talking about our freedoms and this exceptional way of life.

Madam Speaker, earlier this year, on the Fourth of July, we celebrated 240

years of our independence, celebrating our freedoms.

Earlier this week in a series of somber memorials, I was in some of my towns across the 11 counties of the 19th Congressional District of New York, and we marked the 15th year since the 11th of September of 2001.

Madam Speaker, it has often been the case in the human experience that in adversity, character is revealed. I would submit that the character of the American soul was revealed on that day. Courage in the face of danger.

At the World Trade Center, when so many Americans were working their way down the stairs, our first responders were on their way up to make sure that no one was left behind. Remarkable courage in the face of danger.

And I think about what it must have been like on United Airlines Flight 93 when they had that revelation that the country was under attack and that their plane, which had been hijacked, was destined for some target, likely in the National Capital Region, and how they summoned up the courage to attack. Ordinary Americans doing extraordinary things. Courage in the face of danger. Part of the American soul, part of our character. Also, I would add, unity, unity of our country.

Very often we celebrate the diversity in this country. And, in fact, we are very proud of the fact that we have freedom of thought, freedom of expression, and we celebrate that diversity. But, Madam Speaker, we also at the same time honor our unity, and that was clearly on display on the 11th of September and all the days after.

Then, finally, what I would add is courage in the face of danger, unity, love, and support. I saw that firsthand again this week throughout my district at these memorials. It certainly was the case on the 11th of September.

When you think about what it means to be an American and the freedoms that we hold dear, this is a way of life worth defending, and that is why I am excited to be with my colleagues here this evening to talk about that. Because oftentimes we don't think about this, it is no less true.

What we did in the 18th century was truly radical. We changed the trajectory of history with our Revolution. Think about those summoning words in the Declaration of Independence:

"WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

We have a tendency to look back on that and say, Well, of course. That was utterly radical. The 18th century was the era of the divine right of kings and queens and aristocracies. The heads of state of Europe, they gave us no chance. They never thought this would

work. They scoffed at us. They believed that, ultimately, chaos would unfold and that we would beg for the monarchy to come back. And, Madam Speaker, we showed the world a humble nation, mostly farmers at the time; and we showed the world that we could not only survive, that we could thrive and flourish and really go on to be, as many have said, the greatest hope for mankind.

Madam Speaker, that is why we are here tonight. We all believe passionately in this. We took an oath that said we were ready to give our life for that, and we are still fighting for that now, as we serve in the United States Congress.

And when we consider the kind of government that we brought forward, this was a government of the people, by the people, for the people, a self-governing people. Philosophers had written about it. We had some forms of that in republics over the centuries. But really what many had theorized, we were really the first to put in full practice.

And here I am talking explicitly about an independent judiciary. Heretofore, they had been, you know, extensions of the crown, extensions of the executive branch.

James Madison and many of the Founders came forward and they said—and this is what was so revolutionary—we are going to put the individual at the center, the citizen at the center. Before that time, government really was the state, it was the king, it was the queen. And we said we are going to be self-governing.

Madam Speaker, to do that, we brought forward a Constitution. And that was, again, what was really, I think, in the end, pivotal because we had a contemporary.

Less than a decade later, France had a revolution, but, unfortunately, ultimately, they begged for the monarchy to come back. Their revolution did not succeed, but ours did. And it really was the genius design of the Constitution that diffused power, that celebrated liberty, and put the citizen at the center, the separation of powers, the checks and balances, the auxiliary checks that came with it. We are talking about Federalism.

We chose the word "state" on purpose. We could have chose "province." We could have chose any other word. We chose the word "state" because we believed in that cosovereignty. And, of course, undergirding all of that was the idea of an empowered citizen, as I mentioned.

Some historians have said that when you look at all of this, when you look at Federalist Papers, when you look at the Constitution, when you look at the Bill of Rights, it has been argued that these are some of the most summoning words ever penned; and I agree with that. But, Madam Speaker, this was also very real.

What our Founders instantiated in the Bill of Rights, everything they put

there, had happened to us. I mean, King George had abused the colonists. He had abused us. And we said, No more. We said that we shall have liberty.

So when you look at the First Amendment, for example, the king had denied us the ability of freedom of speech. He told us that we could not have freedom of religion. He superimposed his religious views on all of the colonists. He said that we couldn't meet in groups of more than three because he said we would be conspiring against him. It turns out he was actually right about that.

Madam Speaker, he denied us the right to petition our government. We put together petitions. We sent it overseas to the king, anxiously waiting on a response. The king didn't even open them. He wouldn't open these petitions. He said they didn't have the standing, they don't have the right.

Our Founders said that all of our citizens have the right to petition their government; they have the right to assemble; they have the right to freedom of speech, freedom of the press, freedom of religion. We hold these dear, and we are very proud of this.

The Second Amendment. Madam Speaker, we often learn that the Brits marched on our guns; and that, in part, is why the Second Amendment was put there. Well, let's remember this: sure, it was the Brits, but that doesn't even make the point. That was our government. The Brits at the time were essentially our national government, and they marched on our guns. The Founders said, No more. Free citizens who have rights and responsibilities have the right to keep and bear arms.

The Third Amendment. Madam Speaker, the king had quartered troops in our homes. He did that without asking; didn't pay us any money. Our Founders said that is a violation; it is a violation of the citizen; and that the only time that a government can quarter troops in a home is if Congress declares that there is a state of war and if citizens are reimbursed for that.

Madam Speaker, the Fourth Amendment. The king routinely sent his troops into our homes. He didn't need cause. They turned furniture upside down. They could look for anything. Our Founders said that would not happen again. They said that we have the right—as citizens, we have the right to be reasonably secure in ourselves, in our belongings, and that the only way the government could get access to that is if they followed a process, due process where they stood before a judge and they showed probable cause for action. Only then shall warrants be writ, and those warrants shall have specificity in person, place, and thing. Central to liberty.

Madam Speaker, the Fifth through the Eighth Amendments have to do with the rights of the accused. We have the right to hear the charges against us. We have the right to not be locked up, indefinitely detained without

charge. We have the right to counsel. We have the right to not be forced to testify against ourselves. We also won't have double jeopardy. If we are facing a capital crime, it shall first go to a grand jury. We have the right to speedy and public trials by jury, and we have the right to protection from unjust punishment.

□ 1830

Madam Speaker, the Ninth and Tenth Amendments are an affirmation of limited government because the Founders said that anything that wasn't explicitly written in the document would be left for the States or the people.

Madam Speaker, this changed the history of the world. This was an incredible moment when freedom was born. And every generation since, servicemen and -women have had to stand up to protect those freedoms because we believe in the idea of the citizen and we believe in the idea of liberty.

Madam Speaker, I want to be clear. There has been a lot of discussion in this Chamber about the safety and security of our families and our communities. I want to state very clearly that all of us veterans here, we believe deeply in this. We love our families, we love our friends, we love our communities, and we want to assure their safety. That is partly what inspired us to go forward, to deploy, to fight our enemies: to ensure the protection of our loved ones.

We don't believe that by targeting with law law-abiding citizens we are going to be safer. We believe in background checks. Of course, we do. We don't want terrorists to get guns. In fact, we endeavor to kill or capture terrorists.

We believe this. We believe that any public policy that is enacted needs to actually solve the problem while at the same time protecting our liberties, assuring us of the freedoms that we fought for.

As we look across, what is evident is that we have issues right now with gangs and narcotraffickers, and so we support action. In fact, we helped pass, in this Chamber, legislation that addressed that. When we addressed the opioid issue, we addressed education, which is so important to cutting down on opioid abuse. We addressed treatment. We also addressed enforcement.

Federalism has many virtues, but it has some challenges, too. There are seams. There are seams that these narcotraffickers and gangs can exploit, and we helped address that.

Madam Speaker, these are constructive actions that can help make us safer. We fought to defend these freedoms. We are still fighting to defend these freedoms.

Madam Speaker, we are now going to hear from a series of speakers. I want to first bring up my friend from Oklahoma, STEVE RUSSELL. He represents the Fifth District in Oklahoma. He served in the United States Army for 21

years. He commanded a battalion. His battalion was actually the main effort that captured Saddam Hussein back in December of 2003 in Iraq. This is an incredible person. He is a warrior. He is scholar. He is a statesman. He was decorated with the Combat Infantryman Badge. His servicemen and -women were awarded the Valorous Unit Award, and he personally was decorated for valor. He is also a small-business owner, rifle manufacturing business. He was a representative in Oklahoma before he came here. I am very honored to serve with him.

I yield to the gentleman from Oklahoma (Mr. RUSSELL).

Mr. RUSSELL. Madam Speaker, I thank my colleague and fellow warrior from New York and my brother warriors who are joining me in this effort today. It is an honor to have a sister warrior who is also sitting in the chair with us here tonight.

The right to keep and bear arms is as fundamental to our freedom as any other inalienable right we enjoy as Americans. This right is God-given—as much as the freedom of religion and to exercise worship, the freedom to assemble and express, the freedom to own property and protect our privacy.

As such, serious-minded individuals must have serious deliberation on any attempt to alter these fundamental rights. In a time where Americans face uncertain threats from terrorists at home and abroad, most Americans clearly understand why we must preserve the right to defend ourselves, our families, and our property.

For those who would refuse their right to defend themselves, they certainly have the freedom to do so. They do not have the freedom to make that decision for others.

In terms of human behavior, our survival instincts are inherent. The Creator of the universe did not make human beings with fangs, claws, quills, odors, or poisons for their self-defense. Instead, he gave them their intelligence and, by extension, their hands to fashion implements to protect their lives.

While the Progressives are certainly welcome to choose not to defend themselves, as is their right, it is not their right to prohibit others from protecting their lives, liberty, and property or the Bill of Rights of the Constitution of the United States.

It was New Year's Eve in Blanchard, Oklahoma. Eighteen-year-old mother Sarah McKinley, who was alone with her 3-month-old son, heard a ruckus at the door. Two men were outside trying to break it down. Grabbing her baby and barricading the door with her sofa, she immediately called 911.

In the frantic and desperate situation, it became clear that law enforcement would not arrive in time to prevent the assault by armed intruders with designs that can only be imagined. She informed the dispatcher that she had a shotgun and asked if it was all right to shoot the intruders if they

made it inside. Wisely, the dispatcher told Sarah: I can't tell you to do that, but you do what you have to do to protect your baby.

Sarah already knew what she had to do and hoped against hope that law enforcement, while responding quickly, would arrive in time. When the armed intruders broke down the door, 24-year-old Justin Martin climbed over the couch and was greeted with a shotgun blast to the chest. While his accomplice ran for his life, Sarah had saved hers and her son's.

A year ago, 88-year-old Arlene Orms was at home in Miami, Florida, when an intruder kicked in her door. Orms responded by retrieving a small .25-caliber pistol and fired at the home invader, prompting the criminal to flee.

Following the incident, Orms' neighbors expressed support for her actions, with one telling a local media outlet: "You have to do something . . . You have to do something to protect yourself."

Americans all across this land understand inherently you have the right to defend yourself, your property, your loved ones, and your liberty.

Progressives can no more rewrite history than they can rewrite the Constitution. From Madison, Hamilton, Jefferson, and Adams, all the way to the Supreme Court decisions with Heller and McDonald, this inalienable right has been affirmed in defense of its articulation in the Bill of Rights.

While the President complains of congressional inaction on the right to keep and bear arms, we can no more take action to deny this right that we could deny a free press, free religious expression, or property rights of individuals. Congress cannot become a vehicle to destroy the Bill of Rights.

Madam Speaker, my fellow warriors and I have nearly lost our lives like you defending this Republic in our Nation's Armed Forces doing very hard things. We stand as brothers in arms to declare that we will stand in the way of any Executive who will not uphold the Constitution of the United States, plain and simple.

Still, the administration and progressives press forward with passion and conviction, convincing Americans that the threat is so grievous, the injury so great, that Americans must now act. We are told that mass shootings are on the rise and gun deaths are out of control and the worst possible environment exists among developed nations.

Before America signs up to eliminate one of her inalienable rights, let's deliberate with a sober mind on this issue. The President and his party would report outrage if conservatives suggested that the First Amendment must be scrapped because of outrageous libel, hate speech, religious bigotry, and sit-ins warranted necessary commonsense reforms so that we could take away the first of our enumerated freedoms embodied in the Bill of Rights. There would be outrage

over such a suggestion. Americans recognize that we must face the unpleasantness of its abuse to secure its inviolable status.

Not the same, some may say. We are talking about outrageous loss of life and injury, and it has to stop. Since when did our security become substitute for our liberty? Americans for 240 years have rather sacrificed to secure it.

My brother warriors with me here, Madam Speaker, along with you and your service, we stand in that group of those who have defended and supported the Constitution since we were very young adults.

What about the facts? With more than 33,000 gun homicides last year, the question is asked: Don't you think it is time to do something about gun violence?

Well, here are the facts:

More than 60 percent of these homicides are suicides. While tragic, it is not the same.

Only 8,124 were with firearms of the 11,961 that were murders. That is 8,124, not the 33,000 that you hear.

This is a 9 percent decline in gun murders since 2010. Haven't heard that one, a 20 percent decline in gun murders since 2005. Again, you haven't heard that one. A 50 percent decline in gun murders since 1995.

The laws seem to be working. With shall-issue carry laws and good lawmaking in States, we have seen a 50 percent diminishment in the problem. That is called success. Why on earth would people want to change that?

Here is another one that we see people asking: People are being slaughtered by these assault weapons. Don't you think it is time we ban them?

Assault weapons are fully automatic and unavailable to the public. Semiautomatic rifles make up the majority of rifles owned in the United States. Here is an interesting fact. Of those 8,124 murders with firearms in 2014, the last full statistical year, only 248 were with rifles of any kind—that would be flintlocks; that would be semiautomatic rifles; that could be anything. 8,124—not the 33,000. Of those, 248 were with rifles. Yet people think that: Oh, my goodness. This is the problem. This is what we have to ban. Statistically, the facts are simply not there.

To put that in perspective, of other murders in different categories, 435 people were murdered in 2014 with clubs and hammers; 660 were murdered in 2014 with hands, fists, and feet.

So let's have the deliberative debate, but let's look at the facts. Don't you think a terrorist, if they can't board a plane, they ought not to be able to buy a firearm. News flash: the terrorist watch list has over 1 million names; 99 percent of them are foreigners. As the only firearms manufacturer in Congress, I can assure you in the 18 U.S. Code and in the Bureau of Alcohol, Tobacco, Firearms regulations that govern manufacturers and dealers, guess what. They can't purchase a firearm,

not as a nonresident alien. Ain't going to happen. If we were to do that, we would be committing a felony.

Of the less than 1 percent that might be eligible, an even smaller fraction of these are on separate no-fly lists. Yet you don't hear these facts. You are hearing them tonight in the people's House.

□ 1845

All Federal prohibitors would trigger an alert to the FBI on any firearms transfer, even if they were eligible.

What about the gun show loophole? Don't you think businesses should be forced to conduct background checks at gun shows? I have a firearms business. If we were to go to a gun show and set up there, and we were to do a firearms transfer under that license without a NICS check and a 4473, we would be committing a felony.

No firearms licensee can transfer a firearm without a background check, period. If so, a felony is committed with stiff penalties. On-site business or off-site transfer, it doesn't matter. It is irrelevant. These are the facts.

What about Internet gun sales, don't you think there should be a background check on those? Why, you can just go on the Internet and they mail you a firearm.

No licensee will transfer a firearm to another location without sending it to another licensee to make the transfer. When people order our products, we send them out to another Federal firearms licensee. They do the background checks. They do the transfer. If that doesn't happen, nothing is transferred. To do so is to commit a felony otherwise.

Further, no firearm can be transferred through the mail or a shipping service unless by a licensee, and unless—the only exception—it is the owner sending it back to the manufacturer to have some repair made or something of that nature.

And so these are the facts that we see and that we deal with. As we go into this debate, we have to go into it with deliberation. We often hear: Why aren't we having these issues? Why aren't we discussing this issue? Let's have the debate. Let's go after the facts.

Serious people decline to trivialize any right expressly addressed in the Bill of Rights. A government that abrogates any of the Bill of Rights, with or without majority approval, forever acts illegitimately and loses the moral right to govern this Republic. This is the uncompromising understanding reflected in the warning that America's gun owners will not go gently into the utopian woods.

While liberals and gun control advocates will take such a statement as evidence of their belief in the back-water, violent, untrustworthy nature of the armed American citizen, as gun owners, veterans, combat veterans, defenders of this Republic, we understand that hope, that liberals hold equally strong conviction with theirs about

printing presses, Internet blogs, and television cameras. We get that. It is the same Bill of Rights, inalienable.

The Republic depends on the fervent devotion to all of our rights, not selective rights. This is the oath we take, and no President's tears or progressives' passionate pleas will shake us from the defense of the Constitution of the United States.

Mr. GIBSON. Madam Speaker, I thank the gentleman from Oklahoma. I want to thank him for providing real illumination on important data and also on law. I think too often we can move off quickly without having a firm understanding of what the current law is, and so we really appreciate him bringing clarity to that subject.

And also inherent in the gentleman's talk, this idea, this Bill of Rights, is formed with the basis of a citizen that has rights and responsibilities. We know as citizens that we have a responsibility to follow the law. And if we don't follow the law, we are fully held to account for that. That is another piece I think that is occasionally missing from all this. And certainly what is missing, I believe, is the fact that all of us here tonight and, indeed, Madam Speaker, all of us acknowledge your very distinguished career in the United States military and, in so many ways, how you were a trailblazer and how you really are a role model for everyone. We are so honored to serve with you.

We recognize the fact that for all of us, we believe with every fiber in our body that we are going to stand for these rights, that the policy that we bring forward is going to be based on those rights, and also looking to solve the problem which, as I pointed out, when you actually look at the facts and you listen to the data, you know that where the problems are are these narcotraffickers. You know, we have issues with that, and we need to take action with that. So when we focus our policies in the area that is causing the problem, we will actually begin to see an even more safe and secure environment.

By the way, also the deterrence, along with addressing the issue with narcotraffickers and gangs, is the deterrent value itself of the Second Amendment. So I want to thank Mr. RUSSELL.

At this point, I want to bring up another great American, RYAN ZINKE. He is the at-large representative from Montana. Congressman ZINKE spent 23 years in the United States military. He was a United States Navy SEAL. In fact, he commanded SEAL Team Six. He was the commander of Joint Special Operations Task Force in the Arabian Peninsula, leading over 3,500 special operators in Iraq. He also established the Navy Special Warfare Advanced Training Command and served as the first dean of the Naval Special Warfare graduate school. He earned two Bronze Stars during his service, and his service continues now. His daughter was a former U.S. Navy diver, and she is married to a Navy SEAL.

Madam Speaker, I yield to the gentleman from Montana (Mr. ZINKE), my good friend.

Mr. ZINKE. Madam Speaker, when I was a Commander at SEAL Team Six, I can tell you I was never the best jumper, diver, explosives expert, but I always knew who was. I was able to surround myself with, I think, the greatest team that this country could muster.

I feel privileged and honored also in Congress to be able to surround myself with what I think are the greatest team of patriots, both men and women who have served our country and have a great love for our Constitution.

Tonight's discussion is about the Constitution. All of us took an oath to defend and support the Constitution against all enemies, foreign and domestic; and this time in our government's history, I don't think there is more of an important message to do that today.

Our Constitution is about individual rights granted to us not by the government but by God, secured by the people. What we find ourselves today is not a Republican or Democrat issue. This is an American issue, and it strikes at the very heart of our country.

Across our great land, there is a sense that America has lost her place. There is a sense that tomorrow is not going to be a better day, that America's greatness has passed. I don't share that thought because I believe in the people of America.

What I think has happened is this: We always thought that our President or elected officials would always have our best interests at heart. And America went busy doing the things that are required every day, moms were dropping the kids off to school, we were working, building small businesses, mom-and-pop stores were out there doing commerce, and we always thought, again, that our officials, our elected officials, would always do what is right.

Well, there is a saying in the SEALs that you have to earn your Trident every day. In America, we have to earn our freedoms every day. And earning our freedoms is participating in our elections, and it is holding our elected officials accountable, making sure that this great democracy, which is the light of the world, maintains its place.

John F. Kennedy, in his inaugural address, said that our great Nation would pay any price and bear any burden in the defense of freedom. That sounding call was a call to all men and women worldwide that the United States would be there in the defense of our freedoms. There was a bond, a democracy, and a government by the people and for the people that provided the most opportunity for all of us. At the heart of it is the defense of our individual freedoms—our freedom of speech, religion, and our freedom to bear arms. They are sacred. They are sacred to Americans and the envy of the world.

So tonight, as we think about what is important in our country, I say this: It is time for America to stand. It is time for us to rally. Our country is worth fighting for. Our values are worth defending. Our Nation requires all of us to act. We all rise and fall on the same tide. We all share the same experience of being American.

With that, I am honored to be with you tonight. Thank you, and God bless.

Mr. GIBSON. I want to thank the gentleman. I want to thank him for really putting in focus the fact that these natural rights—life, liberty, and the pursuit of happiness—these natural rights come from God, and that governments are instituted among men and women to secure those rights, deriving their just powers from the consent of the governed.

As I mentioned earlier, what really made us different from the rest of the world, this exceptional Nation which many people thought would never work out, I want to thank the gentleman for putting that in focus. I thank him for his service to our Nation, thank him for his leadership.

We are now going to hear from one of our newest Members here in the House, WARREN DAVIDSON, who represents the Eighth District in Ohio. He is no stranger to service. He is certainly no stranger to hard work. He graduated from the United States Military Academy in 1995, and he spent 11 years in the United States Army. He served in some of our most elite units. He served in the 75th Ranger Regiment, the 101st Airborne Division, and right here in Washington, D.C. with the Old Guard.

After 11 years having defended these freedoms, he went back home, and he began to work in his family business. Then later, he branched out on his own and started his own small business in manufacturing, something very important to an independent nation. We are very proud of his service. We are glad he is here with us now, and we know we see great things in his future.

Madam Speaker, I yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Madam Speaker, it is an honor to be here with my colleagues. It is a different way to support and defend the Constitution than I ever expected to have. I began my service here much like, well, everyone else. We all start the same way. We swear an oath to support and defend the Constitution against all enemies, foreign and domestic. And that was the first time that I swore it, or any of us here tonight.

In 1988, at the climax of the cold war, I enlisted in the infantry. I was honored to serve in Germany after Ronald Reagan had uttered the famous words, "Mr. Gorbachev, tear down this wall." I was honored to be there at a time when many people in the world worried that Ronald Reagan, with his intense rhetoric, would somehow cause world war III, that maybe he was pushing too far, too hard, or asking too much.

I was honored to be there when East Germans tore down their own wall.

Word had gotten past the Iron Curtain and penetrated the lies they had been told, and they knew what we had here. They tore down their own wall, and, for once, the oppressor did not stop them.

□ 1900

I was honored that Thanksgiving to meet East Berliners who could not believe what they were seeing. They were seeing stores with goods on the shelves, open at night.

They asked: Is it like this everywhere?

I thought they were talking about how big Berlin was, but they were just in shock because they had not experienced what we had.

And what did we have?

We had the birth of plenty. We had the world's best markets—and still do—for goods, for services, for capital, for intellectual property, for innovation. We are the world's land of opportunity, and they were hungry for it.

Ronald Reagan, much earlier in his career, had a famous speech: "A time for choosing." I would encourage everyone one who has not watched it, to watch it, and everyone who has not watched it in a while, to watch it again. Reagan said—back then, famous words—"Freedom is never more than one generation away from extinction."

Sadly, that is more true today than perhaps at any time since he uttered those words then.

No one knows the divide between freedom and oppression better than servicemen and -women. They fight our Nation's wars. They risk their lives to defend our Constitution. Sadly, the threat to our Constitution is not just from foreign enemies. Sometimes, sadly, it is right here in the Halls of Congress.

In my short 3 months here, I have seen attempted infringements on the First, Second, Third, Fourth, Fifth, Sixth, Ninth, and Tenth Amendments. That is hard to believe.

Just this past summer, we had Members of Congress obstructing the people's work here, staging a sit-in on the House floor to subvert our Second Amendment with a radical gun control agenda. It is an agenda that seeks to deprive us of the very rights our Founding Fathers sought to preserve with the Constitution and the Bill of Rights.

Anyone could do a plain reading of the Constitution and see that the right to bear arms is named right there, to be applied at the individual level. The rest of the Bill of Rights is certainly talking about rights at the individual level, and the Second Amendment is no exception.

Justice Scalia wrote it in the Heller decision, "Nowhere else in the Constitution does a 'right' attributed to the people refer to anything other than an individual right."

"The people" refers to all members of the political community, not an unspecified subset. We start, therefore, with a strong presumption that the

Second Amendment right is exercised individually and belongs to all Americans.

You see, for more than 100 years, the 14th Amendment has been used to link the rest of the Bill of Rights to the State. Somehow, the same folks that are onboard with applying the First Amendment to States, whether it is free speech, voting rights, or freedom of religion, in some cases, they are reluctant to let the same be true for the Second Amendment.

When they want a uniform view of things that aren't even addressed in our Constitution, like marriage, they are not willing to apply the same logic to our Constitution with something that is very plainly stated: The right to keep and bear arms shall not be infringed.

I take that right very seriously. Those of us who served in the military know all too well what a society looks like when freedoms are squashed. We have seen these places and met the people who have lived under tyranny.

Our Founding Fathers knew the battle between freedom and tyranny too well, many sacrificing their lives in the struggle to establish this Nation. It is not an accident that they enshrine that right to keep and bear arms squarely right after the right to speech and freedoms of religion. It is so essential to stave off oppressors that we cannot be truly free without it.

After these men sacrificed life and limb, let us not besmirch their legacy by subjecting it to an agenda which would seek to attack away this freedom one firearm or one freedom at a time.

The threats are real. It is hard to imagine. It is not just rhetoric. Those words, "freedom is never more than one generation away from extinction," sound like political rhetoric, but it is just so real and we have to take it very seriously. It is an honor to be here to talk about it.

Mr. GIBSON. Madam Speaker, I want to thank my colleagues, and I really want to express what a privilege it is to serve in this House. I believe in this country and this exceptional way of life. Not that we don't have warts and challenges—we certainly have those—but there is nothing that we can't solve together.

We also need to recognize that what we did in the 18th century that allowed for the most freedom and the opportunity in the history of mankind is not a birth right. It is not a foregone conclusion. Every generation has to defend it. They have to defend it from threats from abroad and also be vigilant for unintentional or perhaps intentional encroachment here at home.

Our colleagues here believe deeply in protecting this exceptional way of life. As I stated earlier, we love our family, we love our friends, we love our communities. We want to ensure that they are safe. We are ready to work with our colleagues on that. As we do, we need to keep forefront this exceptional way

of life which the first generation of Americans fought to provide for us and that every successive generation has fought to preserve and that we also take commonsense approaches that are based on data and that are focused on actually solving the problem.

We identified some of those problems tonight and areas where we think we can find some common ground. I mentioned one of them we already have in terms of the law enforcement and cracking down on the narco-traffickers.

Madam Speaker, we are here tonight because we also wanted to make it very clear that—while there are passions and emotions in every direction, we wanted to make it very clear that what we hold so dear, this exceptional way of life, the liberties, the Bill of Rights, the Constitution, this is something we will defend. We have defended it and we continue to defend it. May God bless this country.

Madam Speaker, I yield back the balance of my time.

PROGRESSIVE CAUCUS: TPP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Madam Speaker, I am here on behalf of the Progressive Caucus, which is in charge of this hour. We are here today to talk about the Trans-Pacific Partnership and trade.

The people in the Progressive Caucus have been some of the leaders in the movement to make sure that we have trade deals that protect American jobs and lift our wages here in the United States.

We want to make sure that there are environmental protections across the globe. We want to make sure our food is safe and our prescription drugs are affordable. We want to make sure there are human rights in countries that do trade with the United States. And we want to make sure we are addressing issues like currency manipulation. All of those issues are important when you want to advance trade.

No one in this room is against trade. We are all for increasing our ability to have more exports and to have imports into this country, but you have to have trade deals that work on behalf of the American worker. And all too often, past trade deals have cost us jobs here in the United States. They have made our wages continue to be depressed.

That is not a good trade deal, in the minds of the members of the Progressive Caucus. That is why we are here at this hour to talk specifically about what is good trade, why we are skeptical of the Trans-Pacific Partnership, and why we especially don't want to see a vote during the lameduck session after the election in November. With people who are no longer going to be serving in Congress, taking that vote at that time would be an especially bad idea.

Today is a national call-in day of action on the Trans-Pacific Partnership. There are over 90 public interest groups that have been calling our offices. I heard my staff picking up the phone over and over again, responding to people who want to make sure that we have trade deals that take care of all those things that we talked about, all the things that members of the Progressive Caucus have been leaders in this Congress and trying to advocate for.

In conjunction with the tens of thousands of people who have called Congress today to urge their Members not only to not support the Trans-Pacific Partnership, because it is really not a trade deal, there are parts about a trade—this is a rewriting of corporate rules that could have huge ramifications.

Forty percent of the world's gross domestic product is involved in this one large deal. We want to make sure we get it right, not just fast. That is why we are joining with these groups today to make sure that people know what is in the Trans-Pacific Partnership and why it is vitally important that we don't take this up during a lameduck session.

As I said, not only do we have Members who will no longer be serving here who might even be looking for jobs with some of the very industries advocating for the Trans-Pacific Partnership because it will benefit their bottom line, but also we have two Presidential candidates in the main two parties who both oppose the Trans-Pacific Partnership.

This should be something that, with as much enormous respect I have for President Obama, we should allow the next President to be able to address trade, especially when a deal like this has so much controversy and so many questions about it.

So we are here. During the next hour we are going to hear from various members of the Progressive Caucus. It is my honor to yield to one of my colleagues from the great State of California. The 17th District of California is very lucky to have a representative who has been such an outspoken advocate for middle-class families not just in California, but across the country.

Madam Speaker, I yield to the gentleman from California (Mr. HONDA), my colleague from the 17th District of California.

Mr. HONDA. Madam Speaker, I rise today to voice my opposition to TPP, an unfair trade deal that will hurt our Nation's workers, our environment, and give corporations dangerous new rights.

Through an alarming expansion of the Investor-State Dispute Settlement process, the ISDS, TPP will give corporations a legal weapon to enforce their agendas on sovereign nations. Corporations have already used ISDS to bring over 700 lawsuits against more than 100 governments around the world.

When my home State of California banned the use of MTBE as an additive in gasoline because it was polluting the ground water, the Canadian company sued, costing the State and Federal Government millions of dollars to defend the case. TPP would extend these rights to 1,000 additional corporations owning more than 9,200 subsidiaries.

We need to stop foreign corporations from suing the U.S. Government before unaccountable panels of corporate lawyers. And while giving these rights to corporations, TPP will provide little benefit to the American economy.

The widely cited estimate of 0.13 percent growth in U.S. GDP under TPP is over 10 years. It is not an annual gain. A gain that benefits only a few is undone by the negative impact TPP will have on workers at home and abroad.

Under NAFTA, 700,000 American jobs moved to Mexico to take advantage of Mexican workers making 30 percent less than American workers, even after adjusting for differences in living costs.

While TPP requires nations to implement minimum wage laws, nothing in the language of the deal prevents them from setting the wage as low as 5 cents an hour. TPP is a small win for high-income earners at the huge expense of low-income workers.

TPP also lacks strong provisions to deal with countries with repulsive human rights abuses, including human trafficking and intolerance of the LGBTQ communities.

Singapore, Malaysia, and Brunei criminalize consensual same-sex sexual relations. Rewarding them with a trade agreement is really very unacceptable.

Throughout my tenure in Congress, I have evaluated each trade agreement based on whether it ensures strong, clear, and enforceable labor, environmental, and human rights standards. I do not believe that the proposed Trans-Pacific Partnership agreement that was sent to Congress meets my standards. It does not deserve to be considered during a lameduck session.

As it is currently written, TPP should not be brought to a vote. It should not be brought to a vote, period.

Mr. POCAN. Madam Speaker, I thank the gentleman from the 17th District of California for his words. As he mentioned, there are a number of provisions that you can start to drill down to. In the giant volumes that make up the Trans-Pacific Partnership, there are provisions that I think the American people have no idea about. In fact, I would argue there are some people in Congress who have no idea what is in the Trans-Pacific Partnership.

□ 1915

Just one of those provisions that Representative HONDA mentioned is the investor-State dispute settlement process, the ISDS provisions, where you have a three-person tribunal of unelected, unaccountable people, people who are corporate lawyers one day and then fair arbitrators of the law an-

other day, that set up this separate legal process from the American judicial system that international companies, multinational companies, can access if they want to sue a local government for a law that they have passed that they think affects their future profits.

Think about it. Everyone else in the country has to follow the court system we have in the United States, but if a multinational company, because of the provisions in the Trans-Pacific Partnership, decides that they want to go around that system and go to three corporate lawyers who form a tribunal under this ISDS provision and they want to challenge that law, they can sue for monetary damages. Think about it.

For example, if the State of Wisconsin, where I come from, were to pass a higher minimum wage than the Federal minimum wage and it would be challenged, potentially, by a multinational corporation saying that is going to affect their future profits, they could sue the taxpayers of Wisconsin over that law.

This isn't just something that we are dreaming up. Over and over again, we have seen countries in trade deals be sued by multinational corporations because of environmental law and other laws that they have passed that they have said affect their future profits, and it doesn't happen in the American legal system.

Now, as bad as this sounds, to skirt the American legal system, a special system for multinational corporations, let me tell you what is even worse about that provision. It is only a tribunal for those corporations. But the parts of the trade agreement that affect labor law or environmental law don't have access to the same provisions. They have to go through the normal legal court system.

Recently, there was a labor dispute with the country of Honduras with a company, and it took us 6 years to get that resolved. So for environmental law, for labor law, for things that are going to affect most people, we still have to follow the court system, which is the way it should be. But for multinational corporations, they have a special, streamlined process with, basically, their own arbitrators making the decisions, allowing you to sue taxpayers within a local government or a State government that may pass a law. Clearly, that doesn't make any sense whatsoever. That is just one of those provisions that is a real problem.

Another thing that MIKE HONDA from the great State of California said, he talked about some of the human rights violations. There are explicit human rights violations with some of the countries that don't respect things like single mothers, who don't respect the LGBT community, and those are things that we absolutely can't allow.

Our country has done so much to work with other countries to raise human rights standards, and yet, in

this bill, this trade agreement, the Trans-Pacific Partnership, it does not have those things in place to make sure that we have got those protections for so many different people and so many different provisions. So what he mentioned are just a couple of the provisions.

Let me mention something I think that people don't know about. As I mentioned at the very beginning, the Trans-Pacific Partnership is made up of countries that are going to make up for 40 percent of the world's gross domestic product.

Now, it is one thing to have a trade agreement with a country that is very similar, like Canada, or a country like Japan that also has a lot of similar goods that they are producing; but we also have countries in here like Vietnam, where they don't allow trade unions, where people make, on average, 65 cents an hour.

As you can tell, there is going to be a huge difference in a trade agreement that you have with a country like Canada and a country like Vietnam. But in this trade agreement everyone is lumped together, and there is a long lead time that Vietnam would have to try to get their act together, especially just around issues like having a trade union, much less around those wage issues.

But you can just imagine that if you open that door to have trade preferences for a country like Vietnam, at 65 cents an hour, yes, I will contend that we will lift their wages ever so slightly; but I will also tell you, based on evidence we have seen from past trade deals, that you will further depress our wages here. You will keep the wages flat because that is what happens with these trade agreements, and more jobs that are done here in the U.S. will go overseas.

I say this from someone who grew up in a very industrial town. I grew up in Kenosha, Wisconsin. We made autos for the entire time I grew up in that town. When I was growing up, it was American Motors Company. We made Pacers and Gremlins and some cars that people actually bought. But thousands of thousands of people worked at those auto plants and supported their families with good family-supporting, middle class wages. That is the type of jobs that we need here in this country, but those jobs aren't going to happen under these trade agreements.

I have watched in my hometown of Kenosha after American Motors sold to Renault, and then Renault sold to Chrysler. Chrysler made engines for Jeeps. At some point, finally, they went away, and we lost what was over 5,000 jobs at one time in the city of Kenosha, Wisconsin, and the ripple effects of the industries that fed into that company because, all too often, we watched those jobs go to Mexico, to Canada, to other countries because of wages.

Another thing, for almost three decades of my life, I have had a specialty

printing business. One of the things that we do is screen print T-shirts. So I have been buying T-shirts and goods like that for nearly 30 years. Over the years, I have watched the U.S. mills go away, and more and more of those jobs have gone to countries, literally, that are paying wages that are subpoverty.

I have gone to El Salvador and met with people who work in the sweatshops where people make \$3 a day; and because that sweatshop area is in a special free trade zone that is not near where people live, they spend a dollar of that to get there. Now, this is, granted, a couple of decades ago, but the wages are still severely depressed.

Those jobs that were in America now are going to countries—in fact, one of the things we are hearing out of this trade agreement is Central American countries are afraid they are now going to lose jobs to places like Vietnam because they can have even lower wages. None of those things are going to help the American worker.

So there is a reason why this fall, when you talk and hear from candidates who are running for office—we have two Presidential candidates in the major parties both opposing the Trans-Pacific Partnership as it is currently written.

We have candidates across the country, for Congress and the Senate, running ads talking about a better vision for what trade should be. With all of that going on, it makes no sense whatsoever that we would take this up after the November elections, between that little period of time between November 8 and the end of the year, when we are going to have a new Congress sworn in in January. To take that up with a Congress of people that may not be serving here and may be looking for jobs from the very companies that advocate for these sweetheart multinational deals is a huge, huge mistake.

So that is why the 90 organizations today are having a day of action; tens of thousands of calls coming into Washington, D.C., to try to make sure that Congress does the right thing around trade. That means making sure that we have trade deals that protect American jobs and, hopefully, grow American jobs; ones that protect our wages and hopefully grow our wages; ones that protect us when it comes to things like food safety; ones that protect us on things like pharmaceutical prices.

We want trade agreements that make sure that you don't have a country—you can have the best language in a trade deal, but if you still allow currency manipulation, you can make that language virtually meaningless. And there is nothing in the Trans-Pacific Partnership Agreement that addresses currency manipulation, which is a huge, huge problem.

So those are some of the things that we are trying to get done, much less international human rights provisions that should be in any meaningful trade agreement. So many of us are going to

be talking about this over the next few months.

But tonight I would like to yield to another one of my colleagues who has been one of the leaders in Congress on this issue. He represents New York State's 20th District. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from Wisconsin for yielding. I thank Representative POCAN for leading us in what I think is a very meaningful discussion this evening in this Special Order.

Mr. Speaker, trade, absolutely critical to our economy, but fair trade, not free trade, a fair trade situation where our manufacturers, our businesses, are operating on a level playing field where they have an equal shot at being able to go forward and be productive and provide for jobs, the dignity of work for Americans from coast to coast.

Recently, I talked to an individual, Representative POCAN, in my district, who had to close his doors. And it was years of assistance that we provided when I was yet in the State assembly, and then after, in the U.S. Congress, to assist them so that they could be competitive. Their major competitors were in China.

If we try to talk about public-private partnerships as being something that don't exist out there, on this House floor, then we are not getting it. It was the public-private coziness of China that really destroyed the competitive edge of a business in my community, one that had spun fibers for many defense contracts.

They alluded to the fact that, in some cases, the government, China, will own the building. The government, China, will pay the utility bill. They will offer subsidies to the industry, and then, as was just mentioned by my colleague from Wisconsin, they will manipulate the currency.

All four of those items drag down the opportunity for American workers. It dulls the competitive edge that we should be able to enjoy in the marketplace. We build smarter, and it doesn't have to be cheaper. But when these sorts of dynamics are working against us, we are really swimming upstream with very difficult challenges facing us.

Now, this factory owner had told me, if you take away one or two of the items that I just mentioned, we win easily. If you take three of the four away, we are a strong winner, and if you take all four away, winners hands down.

So it is about fairness. It is about having an equal shot at the opportunity to function in the international marketplace and be able to be creative and innovative with all sorts of intellectual capacity that comes, oftentimes, with research that should be another counterpart to this equation. When we do that, we are the strength beyond belief, and so our efforts here in the House, Representative POCAN, Rep-

resentative SLAUGHTER from upstate New York, Representative DELAURO from Connecticut, a great number of us who have been working together, Representative DOGGETT from Texas, a great number of us working to make certain that our colleagues know about the damage inflicted if we go forward with the current format of the TPP, the Trans-Pacific Partnership.

It is important for us to be pro-worker, pro-business, pro-trade in a free or, rather, a fair capacity, not a free and open-ended concept that has been part and parcel to negotiated deals before this.

Now, what I hear oftentimes is that the biggest problem that had come, when talking to manufacturers in northeast U.S., is that many of the arrangements in these contracts were never implemented. So the contracts might have been a little weak or unfair to begin with, but when you add to that the lack of genuine implementation, then you really have compounded the damage. The pain is real, and it is the exodus of many, many jobs in upstate New York. That is the territory of the 20th Congressional District.

Now, Mr. POCAN, I have to tell you, I am the host community, my 20th Congressional seat in New York, the eastern end to the Erie Canal corridor. Now, that gave birth to a number of mill towns. They took a little town called New York and said they were going to make it a port, and then, by building the canal, we developed a necklace of communities dubbed mill towns that became epicenters of invention and innovation, and we sparked the westward movement. We inspired an industrial revolution. Because of that, there was a great bit of manufacturing going on.

I know that we need to upgrade and retrofit and continually grow the economy by transforming some of the workforce skill sets. I know that. We invest in that. But to put us at a competitive disadvantage by having these situations where we don't require climate change response in the contract, so we are allowing people to live in fifties and sixties standards with the environment—and we are doing our best to respond to climate change. We see the damage that has been ravaging many of our communities, either through extreme dry situations, drought in the Southwest, or flooding in the Southeast and in the Northeast, these are issues that need to be addressed, and we are doing the right thing. But when the left hand is not responding to what the right hand is doing and we are giving people a different level of standards, workforce conditions, workforce protection, these are things that need to be standard across the board and not sinking down to a lowest common denominator, but rising to the highest level amongst us.

□ 1930

I think of the fact that we could end up with situations, having had favored

a labor scale, a payment mechanism, such as 65 cents per hour for Vietnamese workers as being that standard out there across the world. Nothing could be more harmful. That is undignified when it is seen through the lens of the worker.

So there is a lot of work to be done here. There is a lot of improvement that needs to be had.

We have opposed the TPP in its current form. Certainly we are for trade. It is important for us to have that marketplace. We are 4.7 percent of the world's population. Of course we want to advance trade. It needs to be fair trade, and that is what we are asking here. This is the message that we have been resonating so as to make certain that there is progress made here for our communities, our neighborhoods, our workers, and our businesses. We won't stop until we are successful with that. I believe the message is probably not even dealing with this during a lameduck session of Congress.

So I appreciate the opportunity to share some thoughts and stay with you in this Special Order for a while, Representative POCAN, because this is a very important topic to workers from coast to coast.

Again, it is the fairness that we want to bring not only to the workforce but to the business communities that invest in jobs in our neighborhood.

Mr. POCAN. This is my second term in Congress. You have been here a little longer. One of the questions I have is when I was elected 4 years ago I remember New Year's Eve when you were all voting during a lameduck session on things. Tell me more about this lameduck session portion. I think that is the real question. Some people might be amenable to what is in the TPP which we still have arguments about, but to do that in a lameduck session certainly sets up problems.

Could you explain a little more about why that is a problem? I yield to the gentleman.

Mr. TONKO. I think there needs to be strong dialogue here. With the elections being early in November and probably some time to pass before we really gather again and reconvene as a base, as a body, as a House, and then with holidays consuming some of the time during December, it gives you precious little time to really have that dialogue—that conversation—that is so essential. Great things happen when we communicate, when we talk to each other and suggest these are concerns, and let's raise the given solutions that are, indeed, required to make it acceptable. That takes time.

Quite literally, there has been no work on this. People have been advancing the TPP in its original—in its now-given format, and many people see weaknesses, loopholes, and concern for workers. There are situations where labor is not protected by union forces because the governments run the unions. And if you are a dissident to the cause then there are just extreme

outcomes for individuals if you become that whistleblower or that critic, that dissident, you are then maybe finding yourself incarcerated.

So it is important for us to clear up a lot of the issues, to correct them, and fine-tune them, everything from environmental standards, to worker protection, to the cost of pharmaceuticals, which has been raised many times over, and what it might do to the average pricetag out there. So there is not enough time. To rush and get that done, to beat the clock, so to speak, I think is a faulty bit of a scenario. It is not the way to do something as so critically important as this is.

Mr. POCAN. You mentioned there are a lot of areas that we clearly need to make changes on. There are areas of concern around labor rights, environmental rights, consumer protections, the ISDS provisions, and other things. Why not simply amend the trade agreement to fix those things? I yield to the gentleman.

Mr. TONKO. Congress has very little opportunity to adjust. It is basically a thumbs up, thumbs down. We can recommend. It is not like we can make major adjustments.

The administrator overseeing the document will have to take that back and make recommended changes. You have to bring other nations together to get agreement because it is 40 percent of the world's GDP that is the audience for this given negotiated settlement. This TPP covers a huge portion of the world's GDP. So there are a lot of partners that would have a say in the process. We can recommend, and then the changes that we can inspire are quite mild compared to what needs to be done by the framers of the settlement.

Mr. POCAN. Again, I thank you so much for all your work on this.

Mr. TONKO. My pleasure. Back at you because it has taken a lot of time for all of us who have been whipping in the House. I think, to the credit of our group, we have sacrificed a lot of time, but we have been working in a steadfast way that has allowed people to really question how this fits into their given district. When this is done, it has got to be done correctly because it is there. It is a long-term project.

People have seen what faulty agreements can mean in their districts. While we lost many manufacturing jobs, luckily this administration has helped to hold on to several manufacturing jobs and stop the bleeding. But now let's grow this, and let's invest in the intellect for manufacturing. Let's make it smarter, and let's also retrofit our systems so that we do have a heavy hand from a competitive edge. At the same time, let's get the negotiated agreement that is most favorable to a level playing field.

Mr. POCAN. Again, I thank the gentleman so much. I appreciate it.

Mr. TONKO. My pleasure.

Mr. POCAN. I think the point that the gentleman brought up, especially around why we can't amend it, is a real

significant one. Congress gave up its ability when it passed trade promotion authority to allow the President to do the final negotiations. We gave up our ability to have any amendments, and we have limited debate. So when there are so many concerns with this trade agreement, unfortunately, there is very little other than an up-or-down vote that we can do. This is exactly why when you have two major party Presidential candidates and scores of candidates for Federal office across the country in both parties opposing this agreement to allow people who could be kicked out of office, essentially by the voters, to make that decision in a lameduck is certainly undemocratic, with a small D. That is one of the real problems we are facing on this.

The other issue you brought up, gentleman, and I want to talk about too is the accompanying job loss. Other trade agreements we have had in the past, we have seen that we have had a net job loss both, I believe, from the Korea Free Trade Agreement where we were made one promise and a different result happened from NAFTA.

I just last year had a company leave Lafayette County, Wisconsin. Lafayette County is one of the most rural counties in the State of Wisconsin. The largest city is 2,400 people, Darlington. It is one of two counties in the State of Wisconsin that doesn't have a stop-and-go light. This is a rural, rural area.

A company just last year, with about 32 jobs that did auto parts, left to go to Mexico. Now, there is some trade adjustment assistance that can help in the short term to help the workers. But think about it: 32 jobs in a community of 2,400.

I also have Madison, Wisconsin, in my district, with about 240,000 people. That would be like losing 3,000-plus jobs in the city of Madison, Wisconsin. That is the effect that happened to that city, Darlington, because of previous past trade deals. That is why it is so important we get it right and we get it right the first time. In this case, I think there are many people in both parties who don't think we have it quite right, and that is why we need to address it.

Another thing I want to raise that we talked about, and I think it is so important because this is new news from this week, is the provisions around the investor-state dispute settlement, the provisions that allow, essentially, the multinational corporations to sue government if they think something affects their future profits.

Just this week there was a group of academics who have traditionally embraced free trade but are alarmed by the inclusion of the ISDS provisions in the deal who just sent a letter to Congress warning of this system. It is 223-strong, led by Harvard law professor, Laurence Tribe. He warned that the U.S. will be subject to a flurry of suits by profit-seeking actors with no interest in working through a democratic or constitutional process.

Let me read the quote in the letter: "Unfortunately the final TPP text simply replicates nearly word for word many of the problematic provisions from past agreements, and indeed would vastly expand the U.S. government's potential liability under the ISDS system."

This is about our sovereignty.

I yield to the gentleman.

Mr. TONKO. Doesn't this give corporations an opportunity to undo regulations that are established by our country or laws that are established?

Mr. POCAN. The net effect by suing for financial gain will do exactly that if someone is going to have to pay damages.

There is an ISDS provision that happened in Peru over an environmental law change by a company that had toxic contamination. That company is now, because of that change to environmental law in Peru, demanding \$800 million from the country—\$800 million because they are saying that that is somehow going to affect their future profits and because of a violation of a trade agreement.

These are real. This is just one of many, many examples. Canada and other countries have been sued through these provisions. But now we have the experts in the United States telling us not to do that.

So this is something that clearly is one of the biggest problems that is in there. As we said, you can't amend it out. We are not allowed. As Congress, we gave up our ability to amend that section out.

Mr. Speaker, I yield to the gentleman.

Mr. TONKO. I think what you are pointing to here is a very important component of the agreement. We do lose the control, the direct authority, required of us by the constituency that places its trust in each and every Representative that is elected to come to Congress. They believe rightfully that we are going to have their best interests.

We vote in accordance with what we hear from them about standards that should be maintained, established, and implemented; and to have that passed on to a court of whatever, of a format that is far removed from a given situation and may be looking at just greed as a factor, an unwillingness to pay abundantly well for what our standards should be maintained for just reasons, moves the process away from us with any control that we might have had taken away. I think that anonymity is a dangerous outcome as a result of this sort of agreement.

So I think that, again, there is a lot of fine print in the agreement that has to be really examined and thoroughly reviewed so that we are not putting our situations at risk and our communities at risk.

All in all, it is wanting to maintain standards that will respond to the needs of the environment. We know how critical that is. We know how

much improvement is required and that we make great gains. But for those who signed into the process—some were actually directly communicating to the executive branch saying: let's get this fast track going.

Why would you circumvent your role? Why would you, as a Member of the House, want to remove yourself from the process when we should be here reviewing, examining, recommending, and at least having some sort of input that won't pass it over and absolve ourselves of given responsibilities?

So I appreciate, again, your yielding, Representative POCAN.

Mr. POCAN. I thank the gentleman.

As much as this is the Progressive Caucus Special Order hour, and many of us are working against this, I see Republicans in the room. I know Republicans are just as concerned about the sovereignty of this country. When you have the ISDS provisions that you have, you take away that sovereignty. So I don't care if you are a Democrat, a Republican, or an Independent, you want to make sure that if we have a legal system here it is a legal system for everyone and there is not a special system set up for a few multinational corporations that no one else can access with their own players arbitrating these decisions. That is the real problem.

Mr. Speaker, I will close our hour just by repeating a few of the things that I think are really important for our people who are watching to understand. This is a day of action, and 90 organizations have had calls coming into Congress throughout the day. Tens of thousands of calls have come into Washington, D.C., to ask people not to support TPP, but especially not to support a vote on the Trans-Pacific Partnership in a lameduck Congress.

Don't let people who have just been rejected by the voters make a decision that could impact this country for decades in the future. Don't allow a vote that is going to take away more American jobs and further depress our wages here. That is what people have been calling us all day about.

I think that an important question for anyone who wants to serve in this body is: are we going to give up those sorts of sovereignty issues? Are we going to give up the very concerns we have around things like food safety and prescription drug prices; around labor standards and environmental standards?

□ 1945

Are we going to give all of that up through one giant trade deal that has 40 percent of the world's gross domestic product wrapped into it and think that any agreement we have with Canada and Vietnam are identical?

I don't think anyone really believes that is in the best interest of America. That is why we had this Special Order tonight. That is why so many people called in today. We thank those people

for watching, and we hope that they will get active on this issue as well. It is important that we have trade, but we need fair trade, not just free trade.

Mr. Speaker, I yield back the balance of my time.

IMPEACHING JOHN KOSKINEN

The SPEAKER pro tempore (Mr. MACARTHUR). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Ohio (Mr. JORDAN) for 30 minutes.

Mr. JORDAN. Mr. Speaker, John Koskinen should no longer hold office. John Koskinen should no longer be the Commissioner of the Internal Revenue Service. Tonight I am joined by some of my colleagues to talk about why that should happen, why he should be removed from office.

If you remember what took place here, the Internal Revenue Service targeted our fellow citizens for their political beliefs. They did it, and they got caught. Maybe most importantly tonight, thinking about the current Commissioner, the targeting continues.

Now, you don't have to take my word for it. You can take what the United States Appellate Court for the District of Columbia stated. This is a decision from August 5, 2016, last month, from the opinion.

The IRS has admitted to the inspector general, to the District Court, and to us—the United States Court of Appeals for the District of Columbia—that applications for exemption by some of the plaintiffs have never to this day been processed. They are still targeting conservative groups.

They say it again right here:

It is absurd to suggest that the effect of the IRS' unlawful conduct, which delayed the processing of plaintiffs' applications, has been eradicated when two of the plaintiffs' applications remain pending.

So here is the takeaway: they are still doing it.

Here is the standard for removing someone from office: gross negligence, breach of public trust, dereliction of duty.

Mr. Koskinen has certainly had those things take place under his tenure at the Internal Revenue Service.

Here are the facts. February 2014, John Koskinen's chief counsel is on notice that there are problems with Lois Lerner's hard drive and missing emails from during the time of the initial targeting. They wait 4 months before they tell Congress and, therefore, the American people.

During that 4 months, they learn in February: Oh, we have got missing emails, problems with Lois Lerner's hard drive, an essential figure in this scandal.

They wait until June before they tell Congress and the American people.

During that 4-month timeframe, 422 backup tapes are destroyed. Most importantly, they are destroyed with three orders to preserve all documents, and two subpoenas to get those documents are in place. Now, think about

that. You have got missing emails, the backup tapes that contain those missing emails are destroyed during the 4 months you are trying to figure out and 4 months before you tell Congress, and those 422 backup tapes contain potentially 24,000 emails.

That is why he should no longer hold office. That is why it is important that we take this vote at some point and remove him from office. So you have got the standard, which he certainly meets based on that fact pattern; and you have got the court, which just told us last month the targeting continues.

The last thing I will say before turning to my colleagues: No private citizen could get away with that same scenario. If any one of us, any one of the three-quarters of a million people we all get to represent, any of those folks back in the Fourth District of Ohio, which I have the privilege of serving, if any one of those folks are audited by the IRS and they discover that they are missing documents that are critical to that audit and critical to what the IRS is looking for and they wait 4 months to tell the IRS that they are missing those documents, and during that time the backup disk or the backup tape that contains those missing documents somehow gets destroyed, what is going to happen to them?

Well, they are definitely getting fined and they are probably going to jail. But somehow when it happens to John Koskinen, the Commissioner of the IRS, it is okay. It is not okay. It is not okay in this country. This is what frosts so many Americans today. There are now two standards in this country. One for we, the people, and a different one for the politically connected. One for us regular folks and a different one if your name is Lerner, Koskinen or Clinton. That is not supposed to be how it works in this country, not in the greatest Nation ever, where we are all supposed to be treated equally under the law.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. FLEMING), my good friend.

Mr. FLEMING. Mr. Speaker, I thank the gentleman for having this Special Order tonight.

My good friend, Congressman JORDAN has laid out the facts of this case. There are many other detailed facts that we don't have time to get into. But just to give you an example of what my constituents are saying to me, they are over-the-top angry at what Congressman JORDAN was talking about, and that is that there seems to be two standards in America. There is one standard for the elite, there is one standard for the high-up officials in Washington, and then there is a standard for everyone else. We see this play out all the time.

But there are some very notable groups and people who support our effort to begin the impeachment of John Koskinen, head of the IRS. I will just give you some examples.

The National Review's editorial board:

A weaponized IRS put to partisan political ends constitutes an unbearable assault on American democracy and undermines the very institutions of government itself.

The Wall Street Journal, their editorial board:

The U.S. attorney has refused to honor Congress' contempt charge against Ms. Lerner for refusing to testify. The Justice Department has closed its investigations into the IRS targeting without prosecutions, and the press corps winks at abuses of power when conservatives are the targets.

That is precisely the point. It appears that the media—the liberal media, which most media is nationally, seems to be agreeing with this. In fact, I have had a number of media outlets out there who ask me: Why would you want to impeach the head of the IRS? What is wrong with him?

Yet, you heard how we learned how Mr. Koskinen deceived Congress, refused to respond to subpoenas, evidence was destroyed in his tenure. So either he did it or someone did it while under his authority, and then again deceived Congress about that as well. So it is very clear there has been wrongdoing.

While Mr. Koskinen has come to the Hill here to talk to Members—but he wants to do it offline and without being sworn in—he has not shown any interest in doing it under oath.

The New York Post editorial board:

If you responded to an IRS audit the way Koskinen's IRS has behaved, you'd be looking at huge penalties and maybe prison time.

George Will, a noted conservative:

Congress should impeach the IRS Commissioner or risk becoming obsolete.

Red State:

Why the impeachment of the IRS Commissioner is a sign that Congress might actually work?

The American people have given up on Congress. Congress is the legislative branch, which is a co-equal branch of government, and it should be a check on the executive branch, and the judicial branch, for that matter. Yet, Congress has shriveled up and atrophied so much. The American people have given up on Congress ever doing anything about corruption at high levels of our government.

And then Americans for Tax Reform:

Why Congress should impeach IRS Commissioner John Koskinen. Since then, Koskinen has failed to reform the IRS with the agency becoming increasingly politicized. Under Koskinen, the agency destroyed several sources of Lois Lerner's emails while he gave numerous false statements to Congress under oath.

So it is very clear that very notable people, patriots, and people of stature, people who are well-respected in America agree with the House Freedom Caucus that we should move forward.

Finally, there has been polling on this matter. Freedom Works, for instance, has commissioned a poll. Very clearly the American people say by as much as a 66 percent net positive over negative that John Koskinen should lose his job. So I think it is very clear.

I would just say that we are not sure what votes that we are going to have tomorrow on this subject, but any vote short of impeachment of the IRS Commissioner would be a vote against impeachment and would be a vote against showing Mr. Koskinen the door and getting someone who will do right by our leadership in the Internal Revenue Service, a very important agency, and one that has been so much abused—or, actually, victims. Americans have been abused—through its institution.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for his hard work on this issue and for bringing the motion forward to get this issue in front of Congress.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I thank the gentleman from Ohio (Mr. JORDAN).

Under the Obama administration, the IRS has consistently proven that it cannot be trusted to serve the best interests of the American people. Unelected bureaucrats like Lois Lerner and John Koskinen have weaponized the agency and used it as a tool to blatantly target innocent Americans simply for having different political beliefs.

Rather than cleaning house and restoring the trust of the American people, the IRS Commissioner John Koskinen has continued the pattern of criminal behavior and lawlessness within the IRS. On Koskinen's watch, more than 24,000 emails and 420 backup tapes providing critical evidence were completely erased.

Koskinen failed to comply with a congressional subpoena, failed to testify truthfully in front of Congress four different times while under oath, and is now the ringleader for the cover-up of the targeting of innocent Americans by this rogue agency.

Our Founding Fathers specifically empowered the House of Representatives with the authority to hold the executive branch in check when it violates the trust of the American people and, more importantly, when it violates the law.

The only way we can change the climate of corruption in Washington, D.C., is to make an example of bureaucratic lawlessness. And we can start right now by removing John Koskinen from his job.

Just you watch, if the House of Representatives takes action to fire John Koskinen, I guarantee you that the rest of the Obama administration and future administrations to come will get that message.

It is beyond outrageous that not a single IRS employee has been brought to justice for targeting innocent Americans. The House has an obligation to pursue all constitutional options on the table to remove John Koskinen, including impeachment.

Koskinen and accountability are within our reach, and my colleagues and I will not yield in our efforts to hold this lawless agency accountable until we get it done.

Mr. JORDAN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman.

Mr. Speaker, Commissioner John Koskinen took over the Internal Revenue Service in the wake of the IRS conservative targeting scandal ostensibly to reform the agency internally. Instead, he continued his predecessor's legacy of stonewalling justice.

After Lois Lerner, Director of the IRS' Tax Exempt Organizations Unit, invoked the Fifth Amendment when she appeared before Congress, the Committee on Oversight and Government Reform issued a subpoena for IRS documents, including all of Lois Lerner's emails.

The IRS' Chief Technology Officer also issued a preservation order instructing employees not to destroy any emails, backup tapes, or anything relevant to the investigation. But, Mr. Speaker, despite a congressional subpoena and a do-not-destroy order, the IRS inspector general found that the agency had erased 422 backup tapes containing as many as 24,000 emails. All the while, Commissioner John Koskinen knowingly and deliberately kept Congress in the dark.

□ 2000

Commissioner Koskinen was clearly aware that the emails were lost, but he knowingly and deliberately withheld that information from Congress for 4 months and stonewalled the entire investigation.

Mr. Koskinen testified under oath four times before Congress during that 4-month period, saying he would turn over all of Lerner's emails, making no mention of the fact that the bulk of them had been "lost."

Mr. Koskinen provided false testimony and swore under oath that the information on the bulk of the backup tapes was unrecoverable. The inspector general found that approximately 700 of those emails had not, in fact, been erased and were, in fact, recoverable.

Mr. Speaker, John Koskinen then failed to protect citizens against the same type of future discrimination. A General Accounting Office report found no significant measures had been implemented under Mr. Koskinen's watch to ensure that civil servants at the IRS do not continue in the future to unlawfully target Americans based on their political or religious views.

Mr. Speaker, this entire matter is absolutely counter to everything a Republic like ours was meant to be. In a constitutional Republic like the United States of America, we are fundamentally predicated on the rule of law; and there are very few things that break faith with America and the American people or that undermine their trust in their government more than witnessing those who are given the sacred responsibility to enforce tax collection equally and according to the law using

the Federal Government's power of taxation unlawfully to economically destroy and deliberately oppress American citizens based on their religious or political views.

Such a tyrannical abuse of power and the betrayal of their sworn oath to the United States Constitution by Commissioner John Koskinen and Barack Obama will be writ large in their shameful legacy because it is something that goes to the very heart of the rule of law in this Republic and that so many lying out in Arlington National Cemetery died to preserve.

Mr. Speaker, the United States Congress has a duty to impeach Commissioner John Koskinen. The impeachment power is a political check that, as Alexander Hamilton wrote in *Federalist* 65 of 1788, protects the public against abuse or violation of public trust. And Commissioner John Koskinen, appointed by Barack Obama, has unequivocally violated public trust.

A taxpayer would never get away with treating an IRS audit the way the IRS officials have treated this congressional investigation; and the Congress of the United States owes it to the American people, to future generations, and to our sworn oath to the Constitution to hold the perpetrators of this tyrannical abuse of power accountable and to make sure that this never happens again.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for all his hard work.

I yield to the gentleman from the great State of Kansas (Mr. HUELSKAMP), another hardworking Member.

Mr. HUELSKAMP. Mr. Speaker, it is a pleasure to be here tonight and tomorrow.

This House will have a chance to redeem itself a bit, or at least remain relevant for now. Hopefully, we will be voting on something of great consequence for a change.

Tomorrow we in this body will be asked to vote for or against removing the IRS Commissioner. Make no mistake, however. This is not just a vote to remove one man from office. It is a vote for or against the rule of law itself. It is a vote for or against maintaining our system of internal checks and balances. It will be a vote for or against accountability for public officials and transparency in our government.

For months, myself and other House Freedom Caucus members have been pushing for this accountability. Those who might oppose this measure most likely believe they are doing the right thing by defending the IRS. In fact, they are defending a toxic status quo in which our Nation's most powerful agency, the IRS, can legitimately be used to thwart one's political enemies. This is a status quo in which one party gains power in one branch of government, then uses the resources of that branch of government to depress the power of all other branches of govern-

ment. This is something we would expect to see in an emerging democracy, not the greatest Republic in the history of man. Let's take a look back at how this all came about.

During President Obama's reelection campaign, the IRS systemically prolonged consideration of applications for nonprofit status from hundreds of conservative organizations—in some cases, as we heard this evening, indefinitely. Many of those organizations were never able to recover from this denial; others were effectively neutralized for the duration of the 2012 election. This, of course, is a matter of fact and not of opinion. Eventually, the discriminatory practice was exposed, and Mrs. Lerner was removed from her position—although, I might note, she retained her full retirement pension from taxpayers.

John Koskinen was imported as Commissioner to sort the mess out. Then, as the President promised, to restore our faith in the Federal Government, he would act in the best interest of all of us and not abuse his power ever again.

But after Lerner refused to testify before Congress, the IRS casually mentioned that some of her emails had gone missing, despite the subpoenas and orders to preserve them—again, casually mentioned. In fact, we found out later, the IRS had erased 422 backup tapes containing as many as 24,000 emails.

Now, think about that. If every email was one single page and you stack those all up, that would be 8 feet worth of erased emails.

When the Commissioner told Congress under oath that many emails had been accidentally destroyed, he was lying. And when the Commissioner told Congress under oath that his agency would provide investigators with all of Mrs. Lerner's remaining emails, he was lying. And when he told Congress under oath that the IRS would fully comply with any FOIA request and otherwise assist our investigation into the practice of unfairly targeting organizations for their First Amendment beliefs, he was lying. And then when he and his boss, the President of the United States, told the American people, under the sacred trust vested in all public officials, that he would reform the IRS, make it more transparent and less hostile to families, faith organizations, and small businesses, he was not telling the truth.

The Commissioner blatantly lied under oath on multiple occasions because he thought he could get away with it. Just like so many other administration officials, the Commissioner believed he was above the law and beyond reproach.

Tomorrow we have a chance to resoundingly prove Mr. Koskinen's audacious assumptions wrong. These Articles of Impeachment—four for each lie he told—represent the negative consequences that the average American would face if he lied under oath.

Some have called this effort petty. There are even some who believe there are other officials more deserving of removal. Perhaps they are right. However, in this case, we have someone whose violations of the law and the public trust cannot be disputed. And I would hope, in light of the indisputable evidence, this body could perhaps move beyond the partisan divisions so that justice can be served. I encourage my fellow Members to do the right thing and vote for accountability, vote for the rule of law, and vote for a government that has checks on its own power.

I thank the Congressman from Ohio for his leadership. He is a true friend. This is a very serious issue. This is not a political issue. This is an issue of principle and rule of law for our government.

Mr. JORDAN. I thank the gentleman for his comments, which are right on target.

Mr. Speaker, I yield to gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. I thank the gentleman from Ohio.

Mr. Speaker, I actually wanted to touch on something that is a little bit different.

Look, we have all seen the documents. We have all heard the argument, even this evening, on the bad acts. Now I want to walk you through why we must do this. And I understand for a lot of our brothers and sisters in this body, this is uncomfortable. This is something that hasn't been done in a very long time. So let me walk through sort of a line of logic, because you can't be a Member of Congress and go home and do townhalls and talk to reporters and say, "I am going to defend the Constitution," "I am going to defend our Article I authority," and then not stand up and defend it. So let's actually do sort of a linear line of logic here.

If tomorrow one of you became a CEO, 15 years ago this body passed something called Sarbanes-Oxley, which basically said, if you are in the leadership and someone commits bad acts in your organization, you accept the responsibility because you accepted that position of leadership. These are the things we require from the real world outside this body.

Has anyone here ever been a real estate broker, had a securities license, other types? If bad acts happen underneath your license, what happens? You lose your license. You are removed from that position. But somehow these rules, this concept of responsibility that this very body has put out on the rest of the country, the rest of the private sector, is not willing—or is uncomfortable—to demand the very same status of responsibility, the very same status of ethics that we require from a real estate broker, from corporate executives. We are not going to require it from the head of one of the most powerful bureaucracies in this Nation?

And this is to all my brothers and sisters in the body. I accept it is un-

comfortable doing something you have not done before. That does not mean it isn't the right thing to do.

You have heard the argument made. The facts are crisp and clear. Now it is time to make that decision. Are you willing to defend the Article I position that this body holds in the Constitution? Are you willing to defend the Constitution? Or are you willing to let our representation of the American people continue to be trampled on by this administration?

Mr. JORDAN, thank you for letting me have the mike.

Mr. JORDAN. I thank the gentleman for his good remarks.

I yield to the gentleman from Pennsylvania (Mr. PERRY.)

Mr. PERRY. I thank the gentleman from Ohio for his leadership, bringing this to our attention, and giving us the time to talk about it.

Mr. Speaker, on what we are talking about, we have heard all the facts, so I don't want to belabor them. Numerous protective orders, subpoenas—literally, a preservation order from his own organization, his own agency—the IRS Commissioner just disregarded all that stuff and did exactly what he wanted to do in contravention to what any of us would do.

Two standards of justice is what we are talking about, whether it was for Lois Lerner, whether it was for John Koskinen, or whether it was for Hillary Clinton, two standards of justice: one for them, one for the people who are connected; and one for all the rest of us, one for the people out there in the real world.

I remember in my business, when we got a letter from the IRS, "Oh, provide something from 4 years ago," we would go to our accountant and say, "Well, we already turned this stuff in. We have submitted this stuff."

"Well, you have to save your records for 7 years, and you have got to submit that, or you are going to be in trouble."

I mean, when you see something from the IRS, your heart stops. Do you think Lois Lerner's heart stopped?

Do you think if the police were looking at you or investigating you that you would get to go to the judge without talking to the police and say, "Hey, I will tell you what happened here, but we don't need to involve the police in that"? That is what happened here, folks. That is what happened, Mr. Speaker.

Two standards of justice: one for all of us working people out there, and one for the connected.

Mr. Speaker, ladies and gentlemen, the facts are very clear. It is our duty, it is our requirement under the Constitution, to provide justice. And Mr. Koskinen will have his day in court, his due process. That is the impeachment process. That is where he can tell his story. He will have his day. But the people who have been aggrieved by the weaponization of this agency also must have their justice, and it has been denied to this point.

Mr. Speaker, I call for the action that we are talking about.

Mr. JORDAN. I thank the gentleman. He is right on target.

Mr. Speaker, I yield to the fine gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. I thank the gentleman for the opportunity to address this body. It is an honor to be here tonight, but it is a sad time to be here talking on this topic.

Mr. Speaker, as the newest guy here, I am still figuring out a lot of things. So maybe for anybody who is thinking about this from home, this IRS scandal has been going on since 2010. The first evidence of targeting was 6 years ago. A lot of people say: Why are you guys still looking into this? Why has it taken so long to get to this? Congress has looked into it since 2013. It has been here for a long time. And what we see here is an act of frustration, of frustration with a system that our own body is having a hard time working. A lot of us would like to see this go through the Judiciary Committee, go through a different standard process, but that process has continued to stall, delay, and not happen.

□ 2015

I think we owe it to the people who sent us here to do what we said we would do, which is to support and defend our Constitution.

If this body can be ignored, if we can have people come and give inaccurate testimony, if we can have subpoenas ignored, if we can have evidence destroyed, then, as George Will wrote, we risk being completely irrelevant.

This is the dilemma: this isn't just the IRS that has done this. This is the email scandal from the State Department. I remember the shock of the CNN anchor saying "the BlackBerrys are destroyed." Fact check that. You just can't believe that these kind of things are going on.

I serve on the Science, Space, and Technology Committee where orders to report data breaches have occurred over and over, and inaccurate testimony is given. Subpoenas are being ignored by Attorneys General for evidence involving cases that are intended to stifle scientific research.

When Congress is acting, the word is on the street: You can ignore these requests. You don't have to respond to subpoenas. You can destroy evidence, and you can always give inaccurate testimony. Nothing is going to happen.

So it is time we do take action. I hope we consider a course that keeps our IRS Commissioner accountable and also sets an example that, when Congress takes action, it should be taken seriously.

Mr. JORDAN. Mr. Speaker, I yield back the balance of my time.

IMPEACHMENT OF IRS COMMISSIONER

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, we are facing an extremely important decision right now to examine and weigh the actions of an individual and determine whether or not we are going to hold that individual accountable.

When John Koskinen entered the public arena, he then became accountable to the public, and that is what we are now facing. Here is an individual, Mr. Speaker, who routinely showed disrespect and contempt for this institution, who lied before our committees, who did not give us the evidence we needed to fulfill the investigations we were to do, and destroyed evidence literally on a massive scale. We must hold him accountable for this.

Here is an institution, the IRS, that has the power to destroy lives and to ruin businesses. We know for a fact that, even just a couple weeks ago, the U.S. Court of Appeals for the D.C. Circuit determined that the IRS has been targeting conservatives and conservative organizations on multiple fronts, and they cannot confirm that that has ceased at all.

So we cannot let him get out of this with just a whimper. It is time for this House to do its job and hold him accountable.

I thank the gentleman from Ohio for holding his Special Order, and I hope my colleagues will join in the impeachment proceedings of John Koskinen.

ADJOURNMENT

Mr. JORDAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 15, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6825. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captains Darius Banaji and James E. Pitts, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6826. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — TRICARE; Mental Health and Substance Use Disorder Treatment [DOD-2015-HA-0109] (RIN: 0720-AB65) received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6827. A letter from the Assistant Attorney General, Department of Justice, transmitting a report entitled "Coming Into Focus: The Future of Juvenile Justice Reform, 2014 Annual Report", pursuant to 42 U.S.C. 5617; Public Law 93-415, Sec. 207 (as added by Pub-

lic Law 100-690, Sec. 7255); (102 Stat. 4437); to the Committee on Education and the Workforce.

6828. A letter from the Deputy Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final priorities — Enhanced Assessment Instruments [CFDA Number: 84.368A.] [Docket ID: ED-2016-OESE-0004] received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6829. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling; Technical Amendments [Docket No.: FDA-2016-N-0011] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6830. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs [Docket No.: FDA-2005-N-0464 (formerly Docket No.: 2005N-0403)] (RIN: 0910-AA49) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6831. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Pre-market Approval of Pediatric Uses of Devices — Fiscal Year 2014", pursuant to Sec. 515A of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

6832. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's interim final rule — Possession, Use, and Transfer of Select Agents and Toxins — Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins [CDC Docket No.: CDC-2016-0045] (RIN: 0920-AA64) received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6833. A letter from the Deputy Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rates for Interstate Inmate Calling Services [WC Docket No.: 12-375] received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6834. A letter from the Director, Office of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Final Safety Evaluation on the Topical Report "Materials Reliability Program: Primary Water Stress Corrosion Cracking Mitigation By Surface Stress Improvement (MRP-335 Revision 3)" [TAC No.: MF2429] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6835. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on Employment of U.S. Citizens by Certain International Organizations during 2015, pursuant to 22 U.S.C. 276c-4; Public Law 102-138, Sec. 181; (105 Stat. 682); to the Committee on Foreign Affairs.

6836. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Report to Congress on Global Trade Relating to Iran for 2015, pursuant to Public Law 104-172, as amended by Public Law 111-195, Sec. 102(d); to the Committee on Foreign Affairs.

6837. A letter from the Attorney General, Department of Justice, transmitting a decision on *United States v. Jimenez*, — F. Supp. 3d —, 2016 WL 3556810 (N.D. Cal. June 6, 2016), pursuant to 28 U.S.C. 530D(a); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

6838. A letter from the Assistant Attorney General, Department of Justice, transmitting the semiannual report of the Attorney General concerning enforcement actions for the period July 1, 2015, through December 31, 2015, pursuant to 2 U.S.C. 1605(b)(1) Public Law 104-65, as amended by Public Law 110-81; to the Committee on the Judiciary.

6839. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-5460; Directorate Identifier 2015-NM-188-AD; Amendment 39-18599; AD 2016-16-01] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6840. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-6414; Directorate Identifier 2015-NM-175-AD; Amendment 39-18633; AD 2016-18-03] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6841. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2016-7048; Directorate Identifier 2016-CE-014-AD; Amendment 39-18635; AD 2016-18-05] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6842. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-3702; Directorate Identifier 2015-NM-103-AD; Amendment 39-18634; AD 2016-18-04] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6843. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-3989; Directorate Identifier 2014-NM-220-AD; Amendment 39-18629; AD 2016-17-16] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6844. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes [Docket No.:

FAA-2016-5467; Directorate Identifier 2015-NM-186-AD; Amendment 39-18630; AD 2016-17-17] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6845. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-6415; Directorate Identifier 2015-NM-178-AD; Amendment 39-18626; AD 2016-17-13] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6846. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9047; Directorate Identifier 2016-NM-092-AD; Amendment 39-18632; AD 2016-18-02] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6847. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-1075; Directorate Identifier 2012-NM-111-AD; Amendment 39-18628; AD 2016-17-15] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6848. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-8133; Directorate Identifier 2015-NM-101-AD; Amendment 39-18631; AD 2016-18-01] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6849. A letter from the Regulations Liaison, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Expiration Dates for Four Body System Listings [Docket No.: SSA-2016-0023] (RIN: 0960-AI03) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6850. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers [CMS-3178-F] (RIN: 0938-AO91) September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mr.

ASHFORD, Mrs. LOVE, Ms. GRAHAM, and Ms. ADAMS):

H.R. 6020. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to direct the Secretary of Agriculture to establish a grant program under which the Secretary will award \$19,000,000 of grant funding to the 19 1890-institutions (\$1,000,000 to each institution), such as Tuskegee University in Alabama, Prairie View A&M University of Texas, Fort Valley State University of Georgia, North Carolina A&T State University, and Florida A&M University, and allocate the \$1,000,000 to each such institution for purposes of awarding scholarships to students attending such institutions, and for other purposes; to the Committee on Agriculture.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mr. ASHFORD, Mrs. LOVE, Ms. GRAHAM, and Ms. ADAMS):

H.R. 6021. A bill to rebuild the Nation's crumbling infrastructure, transportation systems, technology and computer networks, and energy distribution systems, by strongly and urgently requesting the immediate recruitment, employment, and on-the-job "earn as you learn" training of African-American young men ages 18 to 39, who are the hardest hit in terms of unemployment, with an unemployment rate of 41 percent nationally, and in some States and cities, especially inner cities, higher than 50 percent, which is a national crisis; to the Committee on Education and the Workforce.

By Mr. DENHAM:

H.R. 6022. A bill to authorize a pilot project for an innovative water project financing program, and for other purposes; to the Committee on Natural Resources.

By Mr. CURBELO of Florida (for himself and Mr. PIERLUISI):

H.R. 6023. A bill to exempt health insurance of residents of United States territories from the annual fee on health insurance providers; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H.R. 6024. A bill to amend title 18, United States Code, to improve safety and security for service weapons used by Federal law enforcement officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Mr. DOLD, Ms. MOORE, Mr. BUCHANAN, Mr. FOSTER, and Mr. EMMER of Minnesota):

H.R. 6025. A bill to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes; to the Committee on Financial Services.

By Mr. HUFFMAN (for himself, Mr. POLIS, Ms. JACKSON LEE, Mrs. NAPOLITANO, Mr. WALZ, Mr. COURTNEY, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. CUMMINGS, Mr. HECK of Washington, Mr. VARGAS, Ms. ESTY, Mr. GENE GREEN of Texas, Mr. CARTWRIGHT, Mr. PETERSON, Mr. MEEKS, Mr. AGUILAR, Ms. LOFGREEN, Mr. PERLMUTTER, Mr. THOMPSON of Cali-

fornia, Mr. LEWIS, Ms. CLARK of Massachusetts, Ms. BROWNLEY of California, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Mr. POCAN, Mr. SWALWELL of California, Mr. CLAY, Mr. LOEBSACK, Mr. CLEAVER, Mr. DESAULNIER, Mr. ELLISON, Mr. MURPHY of Florida, Mr. RYAN of Ohio, Mr. DEFAZIO, Mr. CAPUANO, Ms. FRANKEL of Florida, Mr. PASCRELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, and Mr. RUIZ):

H.R. 6026. A bill to amend the Ethics in Government Act of 1978 to require each candidate for nomination or election to the office of President or Vice President to include in the financial disclosure reports the candidate is required to file under such Act a statement regarding whether or not the Secretary of the Treasury is in the process of auditing any of the candidate's individual Federal income tax returns; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Florida (for himself and Mr. PIERLUISI):

H.R. 6027. A bill to amend section 9010 of the Patient Protection and Affordable Care Act to provide health insurance fairness for Puerto Rico; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 6028. A bill to repeal certain obsolete laws relating to Indians; to the Committee on Natural Resources.

By Mrs. NOEM (for herself and Mr. CRAMER):

H.R. 6029. A bill to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. NADLER, Ms. DELAUNO, and Ms. SPEER):

H.R. 6030. A bill to amend the Fair Labor Standards Act of 1938 to prohibit certain practices by employers relating to restrictions on discussion of employees' and prospective employees' salary and benefit history, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 6031. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Natural Resources.

By Mr. PERLMUTTER:

H.R. 6032. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for purchase of data breach insurance; to the Committee on Ways and Means.

By Mr. PETERS (for himself, Mr. ROTHFUS, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 6033. A bill to expand the tropical disease product priority review voucher program to encourage treatments for the Middle East respiratory syndrome; to the Committee on Energy and Commerce.

By Mr. RATCLIFFE (for himself, Mr. GOODLATTE, Mr. GOWDY, Mr. CHAFFETZ, Mr. HURD of Texas, and Mr. POE of Texas):

H.R. 6034. A bill to amend title 18, United States Code, to clarify certain required mens rea elements for offenses pertaining to the

handling of sensitive information by government officials, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. LANDEVIN, Mr. McDERMOTT, Mr. FRANKS of Arizona, Mrs. BLACK, and Mr. MARINO):

H. Res. 867. A resolution expressing support for designation of September 2016 as “National Kinship Care Month”; to the Committee on Ways and Means.

By Mr. EMMER of Minnesota (for himself, Mr. ELLISON, Mr. KLINE, Ms. MCCOLLUM, Mr. NOLAN, Mr. PAULSEN, Mr. PETERSON, and Mr. WALZ):

H. Res. 868. A resolution honoring the life of Jacob Wetterling and the efforts of Patty Wetterling and the Wetterling family to find abducted children and support their families; to the Committee on the Judiciary.

By Ms. GABBARD (for herself, Ms. JUDY CHU of California, Mrs. TORRES, Mr. AGUILAR, Ms. HAHN, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. SCHIFF, Ms. BORDALLO, Ms. DUCKWORTH, Mr. HONDA, Mr. TED LIEU of California, Mr. BEYER, Ms. MENG, Ms. LEE, Mr. CONNOLLY, Mrs. RADEWAGEN, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. PELOSI, Ms. MATSUI, Mr. AL GREEN of Texas, Mrs. NAPOLITANO, Mr. NADLER, Ms. FUDGE, Mrs. WATSON COLEMAN, Mr. LOWENTHAL, Ms. ESHOO, Mr. DELANEY, Ms. LINDA T. SÁNCHEZ of California, Mr. ASHFORD, Mr. TAKANO, Mr. BECERRA, Mr. SWALWELL of California, Mr. SABLÁN, Mr. BERA, and Mr. SCOTT of Virginia):

H. Res. 869. A resolution relating to the death of the Honorable Mark Takai, a Representative from the State of Hawaii; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCCARTHY:

H.R. 6007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress Shall have power to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

By Mr. DAVID SCOTT of Georgia:

H.R. 6020.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DAVID SCOTT of Georgia:

H.R. 6021.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. DENHAM:

H.R. 6022.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States), Clause 3 (relating to regulating commerce with foreign nations, and among the several states, and with the Indian tribes) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. CURBELO of Florida:

H.R. 6023.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 of the United States Constitution

By Mr. DESAULNIER:

H.R. 6024.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HIMES:

H.R. 6025.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. “The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;”

By Mr. HUFFMAN:

H.R. 6026.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. MURPHY of Florida:

H.R. 6027.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 8 of the Constitution of the United States.

By Mrs. NOEM:

H.R. 6028.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. NOEM:

H.R. 6029.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution.

By Ms. NORTON:

H.R. 6030.

Congress has the power to enact this legislation pursuant to the following:

clauses 3 and 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 6031.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. PERLMUTTER:

H.R. 6032.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. PETERS:

H.R. 6033.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RATCLIFFE:

H.R. 6034.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Mrs. HARTZLER.

H.R. 244: Mr. JODY B. HICE of Georgia.

H.R. 333: Mr. RUIZ and Ms. STEFANIK.

H.R. 546: Mr. JOHNSON of Ohio.

H.R. 612: Mr. ROE of Tennessee.

H.R. 613: Ms. MATSUI.

H.R. 835: Mr. RUSH.

H.R. 845: Ms. KUSTER and Mr. PAYNE.

H.R. 885: Mr. PERLMUTTER.

H.R. 1061: Mr. LARSEN of Washington.

H.R. 1151: Mr. MCKINLEY.

H.R. 1209: Mr. YOUNG of Iowa and Mr. GRIF-FITH.

H.R. 1220: Mr. SIMPSON, Mr. YARMUTH, Mr. THOMPSON of Pennsylvania, Mr. MARINO, and Ms. HAHN.

H.R. 1275: Mr. CARTWRIGHT.

H.R. 1312: Mr. DUNCAN of South Carolina.

H.R. 1422: Mr. LYNCH.

H.R. 1453: Mr. DUNCAN of Tennessee and Mr. GRAVES of Missouri.

H.R. 1714: Mr. GOHMERT.

H.R. 1848: Mr. ELLISON.

H.R. 2016: Ms. BROWNLEY of California.

H.R. 2142: Ms. MATSUI.

H.R. 2228: Mr. HIGGINS.

H.R. 2280: Mr. ELLISON.

H.R. 2315: Mr. DESANTIS.

H.R. 2342: Mr. STIVERS.

H.R. 2368: Mr. SARBANES.

H.R. 2628: Mr. SHERMAN.

H.R. 2713: Mr. MCKINLEY.

H.R. 2737: Mr. MACARTHUR, Ms. FRANKEL of Florida, Mr. LYNCH, Mr. BLUM, Ms. LINDA T. SÁNCHEZ of California, and Mr. BYRNE.

H.R. 2980: Mr. HECK of Nevada.

H.R. 3066: Mr. SCALISE.

H.R. 3137: Mr. KIND.

H.R. 3238: Mr. ELLISON.

H.R. 3381: Mr. LAHOOD, Mr. QUIGLEY, and Mr. HILL.

H.R. 3660: Mr. WITTMAN.

H.R. 3666: Mr. GENE GREEN of Texas.

H.R. 3687: Ms. KUSTER, Mr. ASHFORD, Mr. ELLISON, and Mr. THOMPSON of Mississippi.

H.R. 3804: Mr. MCCLINTOCK.

H.R. 3991: Ms. BROWNLEY of California, Mr. PETERS, Mr. CARSON of Indiana, and Ms. DUCKWORTH.

H.R. 4006: Mr. MULVANEY and Ms. STEFANIK.

H.R. 4016: Mr. EMMER of Minnesota.

H.R. 4088: Mr. BEYER.

H.R. 4283: Ms. LEE.

H.R. 4298: Mr. STEWART, Mr. COFFMAN, Mr. RENACCI, Mr. VALADAO, Mr. WEBSTER of Florida, Mr. BUCSHON, Mr. ZINKE, Mr. MURPHY of Pennsylvania, Mr. LUCAS, and Mr. BARLETTA.

H.R. 4456: Mr. RYAN of Ohio and Mr. GIBBS.

H.R. 4480: Mr. ELLISON.

H.R. 4514: Mr. LANGEVIN.

H.R. 4575: Mr. ZINKE.

H.R. 4595: Ms. DUCKWORTH.

H.R. 4602: Mr. COHEN.

H.R. 4621: Ms. MATSUI.

H.R. 4626: Mr. PRICE of North Carolina.

H.R. 4662: Mr. MCKINLEY.

H.R. 4683: Mr. HIGGINS.

H.R. 4773: Mr. MCKINLEY.

H.R. 4813: Mr. ZINKE.

H.R. 4818: Mr. RODNEY DAVIS of Illinois and Mr. ROSS.

H.R. 4919: Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Mrs. NAPOLITANO, Mr. SENSENBRENNER, and Mr. HECK of Nevada.

H.R. 4980: Mr. NEWHOUSE and Mr. WEST-MORELAND.

H.R. 5015: Ms. STEFANIK.

H.R. 5082: Mr. ROUZER.

H.R. 5083: Ms. BROWNLEY of California, Ms. KUSTER, and Mr. PETERSON.

H.R. 5177: Mr. HARRIS and Mr. HONDA.

H.R. 5208: Mr. WEBER of Texas and Mr. COOK.

H.R. 5254: Mr. JOLLY and Mr. KING of New York.

H.R. 5351: Mr. GROTHMAN.

H.R. 5386: Mr. YARMUTH.

H.R. 5418: Mr. WESTERMAN.

H.R. 5476: Mr. HECK of Nevada.
 H.R. 5493: Mr. MULVANEY.
 H.R. 5624: Mr. POE of Texas.
 H.R. 5650: Mr. LOWENTHAL.
 H.R. 5679: Mr. MCKINLEY and Mr. WITTMAN.
 H.R. 5683: Mr. RUPPERSBERGER.
 H.R. 5708: Mr. POE of Texas.
 H.R. 5785: Mr. POLIQUIN.
 H.R. 5810: Mrs. LAWRENCE.
 H.R. 5813: Mr. MILLER of Florida.
 H.R. 5823: Mr. GOHMERT.
 H.R. 5824: Mr. GOHMERT.
 H.R. 5825: Mr. GOHMERT.
 H.R. 5826: Mr. GOHMERT.
 H.R. 5883: Mr. COSTA and Mr. YOUNG of Iowa.
 H.R. 5904: Mr. JONES and Mr. DESANTIS.
 H.R. 5911: Mr. BOUSTANY.
 H.R. 5931: Mr. SMITH of New Jersey, Mr. WILSON of South Carolina, Mr. RATCLIFFE, Mr. MARCHANT, and Mr. ROE of Tennessee.
 H.R. 5946: Ms. LINDA T. SÁNCHEZ of California, Mrs. COMSTOCK, Ms. STEFANIK, Mr. HECK of Nevada, and Mr. COSTELLO of Pennsylvania.
 H.R. 5948: Mrs. CAPPS and Mr. MCCLINTOCK.
 H.R. 5953: Mr. GARAMENDI and Ms. VELÁZQUEZ.
 H.R. 5977: Mr. GRAVES of Missouri and Ms. NORTON.

H.R. 5980: Mr. COFFMAN, Mr. PETERS, Mr. YOUNG of Alaska, Mr. AGUILAR, Mr. NOLAN, Mr. CÁRDENAS, Ms. HAHN, Ms. MCCOLLUM, Mr. MEEKS, Mr. MOULTON, and Ms. BROWNLEY of California.
 H.R. 5986: Mr. DIAZ-BALART.
 H.R. 5999: Mr. KNIGHT.
 H.R. 6003: Mr. RODNEY DAVIS of Illinois.
 H.R. 6004: Mr. MCCARTHY and Mr. HOYER.
 H.R. 6007: Mr. BRIDENSTINE.
 H.R. 6008: Ms. NORTON.
 H.R. 6017: Ms. KELLY of Illinois.
 H.J. Res. 95: Mr. HUDSON.
 H. Con. Res. 140: Mr. WOMACK, Mr. DAVIDSON, Mr. HECK of Nevada, Mr. CUELLAR, Mr. LAHOOD, and Mr. MARCHANT.
 H. Con. Res. 149: Mr. MOONEY of West Virginia.
 H. Res. 586: Ms. BROWNLEY of California.
 H. Res. 590: Mr. KIND.
 H. Res. 655: Mr. COURTNEY.
 H. Res. 836: Mr. BUCSHON.
 H. Res. 848: Ms. DUCKWORTH, Ms. KELLY of Illinois, and Mr. FORTENBERRY.
 H. Res. 851: Mr. POE of Texas, Mr. SALMON, and Mr. DONOVAN.
 H. Res. 852: Mr. LAHOOD.
 H. Res. 853: Mr. RIGELL, Mr. FRANKS of Arizona, Mr. ZINKE, Mr. WEBER of Texas, Mr. BABIN, Mr. CHABOT, Mr. JODY B. HICE of

Georgia, Mr. KING of Iowa, Mr. LAMALFA, Mr. ROUZER, Mr. LAMBORN, and Mr. FLORES.
 H. Res. 855: Mrs. Radewagen.
 H. Res. 857: Mrs. KIRKPATRICK and Ms. TITUS.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3765: Mr. RANGEL.

PETITIONS, ETC.

Under clause 3 of rule XII,

87. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to urging Congress to enact legislation that would prescribe restrictions on the actions and conduct of Delegates attending a Convention, called by Congress pursuant to Article V of the U.S. Constitution; which was referred to the Committee on the Judiciary.